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COOPERATION BETWEEN THE UNITED NATIONS AND THE INTER-PARLIAMENTARY UNION

THE SITUATION IN THE MIDDLE EAST

SUPPORT BY THE UNITED NATIONS SYSTEM OF THE EFFORTS OF GOVERNMENTS TO PROMOTE AND CONSOLIDATE NEW OR RESTORED DEMOCRACIES

IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS

QUESTION OF CYPRUS

STRENGTHENING OF SECURITY AND COOPERATION IN THE MEDITERRANEAN REGION

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

ADVANCEMENT OF WOMEN

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IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN

HUMAN RIGHTS QUESTIONS

MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

Letter dated 28 May 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

The 95th Conference of the Inter-Parliamentary Union was held at Istanbul from 15 to 20 April 1996, at the invitation of the Grand National Assembly of Turkey. The Conference brought together 609 Members of Parliament from 118 countries and the representatives of 24 observer delegations.

As the host country of the 95th Conferences of the Inter-Parliamentary Union, I have the honour to transmit to you herewith the results of the Conference.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 29, 33, 41, 54, 58, 76, 97, 98, 103, 106, 107, 113 and 154 of the preliminary list.*

(Signed) Tuluy TANÇ
Ambassador
Chargé d'affaires a.i.

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* The annex is being circulated in the languages of submission only.

Annex

RESULTS

95th CONFERENCE AND RELATED MEETINGS

OF THE

INTER-PARLIAMENTARY UNION

ISTANBUL (TURKEY)

12 - 20 APRIL 1996

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A. 95th INTER-PARLIAMENTARY CONFERENCE

The 95th Inter-Parliamentary Conference began its work in the Çiragan Palace in Istanbul on the afternoon of 15 April by **electing by acclamation Professor M. Kalemli, Speaker of the Turkish Grand National Assembly, as its President**.

On the afternoon of 16 April, the Conference heard a statement by **Mr. M. Yilmaz**, Prime Minister of Turkey.

1. INAUGURAL CEREMONY

The 95th Inter-Parliamentary Conference was inaugurated at a ceremony held in the Atatürk Cultural Centre of Istanbul, in the presence of Mr. S. Demirel, President of the Republic of Turkey. During the ceremony, which was opened at 11.30 a.m., the delegates heard Mr. I. Köksalan, President of the Turkish Inter-Parliamentary Group, Mr. H. Fodha, Director of the United Nations Information Centre in Paris representing the United Nations Secretary-General, Mr. A. F. Sorour, President of the Inter-Parliamentary Council, Professor M. Kalemli, Speaker of the Turkish Grand National Assembly, and Mr. S. Demirel, President of the Republic of Turkey.

Extracts from the speeches delivered on that occasion and the statement of the Turkish Prime Minister will be published in the Inter-Parliamentary Bulletin (N° I, 1996).

2. PARTICIPATION

The ***Parliaments*** of the following 118 countries took part in the work of the Conference[1]: Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Moldova, Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

The following ***Associate Members*** also took part in the Conference: Andean Parliament, Latin American Parliament, Parliamentary Assembly of the Council of Europe.

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1 For the complete list of IPU membership, see Annex I.

The ***observers*** included representatives of: (i) Palestine, (ii) The United Nations Organization - United Nations, United Nations Conference on Human Settlements (HABITAT II), United Nations NGO Committee on Aging - as well as the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the World Bank and the International Fund for Agricultural Development (IFAD), (iii) the Amazonian Parliament, the Arab Inter-Parliamentary Union, the ASEAN Inter-Parliamentary Organization (AIPO), the Assembly of the Western European Union (WEU), the Association of European Parliamentarians for (Southern) Africa (AWEPA), the Central American Parliament, the International Assembly of French-speaking Parliamentarians, the Nordic Council, the Parliamentary Assembly of the Black Sea Economic Co-operation (PABSEC), the Parliamentary Assembly of the OSCE, the Parliamentary Association for Euro-Arab Co-operation (PAEAC) and the Union of African Parliaments (UAP), and (iv) the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies.

There was a total of 1,103 delegates, including 609 parliamentarians, and 63 delegates attending as observers.

3. SELECTION OF THE SUPPLEMENTARY ITEM

When this question was taken up on the afternoon of 15 April, the Conference had before it **four requests for the inclusion of a supplementary item** (following the withdrawal of a request presented by the Group of Uruguay, in favour of that proposed by the Group of Egypt), and **one request for the inclusion of an emergency supplementary item**. The Conference decided to deal first with the requests for a supplementary item. Having heard statements by the sponsors of the items, the Conference then held one single roll call in which delegates cast their votes for the four requests. The result of the voting was as follows:

- The request of the Group of **Egypt** for an item entitled ***"Fighting terrorism, an international phenomenon which threatens democracy and human rights as well as international peace and security and which hampers development; measures needed on the national and international levels to prevent acts of terrorism"*** received 834 positive votes, 101 negative votes and 473 abstentions, obtaining the necessary two-thirds majority of 623 (for details of the vote, see Annex II-A);

- The request of the Group of the **Islamic Republic of Iran** for an item entitled ***"Support of parliaments for the acceleration of negotiations on a Comprehensive Nuclear Test Ban Treaty (CTBT) in order that it be finalized in 1996"*** received 302 positive votes, 160 negative votes and 922 abstentions, failing to obtain the necessary two-thirds majority of 308 (for details of the vote, see Annex II-B);

- The request of the Group of **Cuba** for an item entitled ***"Rejection by Parliaments of the Helms-Burton Law"*** received 547 positive votes, 177 negative votes and 675 abstentions, obtaining the necessary two-thirds majority of 483 (for details of the vote, see Annex II-C);

- The request of the Group of the **United Kingdom,** presented jointly with the Groups of **Belgium**, **Canada** and **Switzerland**, for an item entitled ***"The urgent need to***

move towards a world-wide ban on the use, production, stockpiling and all forms of transfer of anti-personnel mines" received 830 positive votes, 50 negative votes and 519 abstentions, obtaining the necessary two-thirds majority of 587 (for details of the vote, see Annex II-D).

The **request of the Egyptian Group** having obtained both the two-thirds majority and the highest number of positive votes was accordingly **added to the agenda as supplementary item 8** (see paragraph 4 (d) below).

The Conference then considered the request from the **Arab Groups** for an emergency supplementary item on ***"Halt to the Israeli attacks against Lebanon"***. After hearing a statement from the sponsor and one delegate holding a contrary opinion, the Conference held a roll-call vote in which the request received 449 positive votes, 300 negative votes, and 390 abstentions, failing to obtain the necessary four-fifths majority of 599 (for details of the vote, see Annex II-E).

4. WORK AND DECISIONS OF THE CONFERENCE AND ITS STUDY COMMITTEES

(a) General Debate on the political, economic and social situation in the world (Item 4)

The General Debate on the political, economic and social situation in the world was held throughout the days of 16 and 18 April. A total of 127 delegates from 106 countries took part in the debate.

(b) The protection of minorities as a global issue and a prerequisite for stability, security and peace (Item 5)

This item was considered on 16 and 18 April by the **Ist Committee** (on Political Questions, International Security and Disarmament) which met with its President, Mr. M.A. Martinez (Spain), in the chair. The Committee had before it ***18 memoranda***, presented by the Groups of Andorra, Australia, Austria, Cameroon, Canada, Chile, Costa Rica, Egypt, Estonia, Finland, France, Hungary, Morocco, Senegal, Slovakia, Switzerland, Turkey and Venezuela; ***two information documents***, presented by the Secretariat of the Inter-Parliamentary Union and the International Labour Organization (ILO); and ***21 draft resolutions*** presented by the Groups of Argentina, Australia, Cameroon, Canada, Chile, Denmark, Egypt, France, Germany, Indonesia, Kuwait, Netherlands, Philippines, Romania, Senegal, Switzerland, The former Yugoslav Republic of Macedonia, United Kingdom and Venezuela, as well as jointly by the three Groups of Estonia, Finland and Hungary, and by Mr. C.A. Becerra (Argentina).

A total of 79 speakers took part in the debate which was held on the morning and afternoon of 16 April. Thereafter, the Committee appointed a ***drafting committee*** composed of representatives of the Groups of the following 12 countries: Argentina, Brazil, Denmark, Egypt, Germany, Hungary, India, Indonesia, Netherlands, Romania, Switzerland and Zimbabwe. This group, joined by an observer from the ILO, met for nearly seven hours on 17 April and elected ***Mr. Inderjit (India)*** as its ***Chairman*** and ***Mr. H. Gjellerod (Denmark)*** as its ***Rapporteur***. The drafting committee took the draft of the German Group as the basis for its deliberations, going through it paragraph by paragraph, but also took a number of

elements from the Swiss text and, to a lesser extent, five others. An additional proposal regarding the duties and obligations of minorities was for its part mainly formulated from the floor. The resulting consolidated draft was adopted without dissent.

At its three-hour sitting on the morning of 18 April, the Ist Committee considered the text presented by the drafting committee. A total of 22 votes were taken by show of hands, with seven of these culminating in positive results for changes, including the introduction of three new paragraphs. The text as a whole was **adopted by 50 votes to 0, with 3 abstentions**, after which 11 delegations explained their vote. The Committee also held the statutory election of its officers (see Section E.3).

On the afternoon of 19 April, Mr. H. Gjellerod presented the Ist Committee's resolution to the Conference, which **adopted it without a vote** (see text of resolution in Annex III). The Turkish delegation subsequently explained its vote.

(c) Conservation of world fish stocks in order to provide an important source of protein and ensure the continued viability and economic stability of fishing around the world (Item 6)

This item was considered on 17 and 19 April by the **IVth Committee** (on Education, Science, Culture and Environment) which met under the chairmanship of Mrs Laustsen (Denmark), replacing the President, Mr. J. Kararuddin (Pakistan) who was unable to attend. The Committee had before it ***14 memoranda***, presented by the Groups of Australia, Burkina Faso, Cameroon, Canada, Chile, Egypt, France, Iceland, Indonesia, Japan, Morocco, Senegal, Spain and Uruguay, ***one information document*** presented by the Secretariat of the Food and Agriculture Organization of the United Nations (FAO), as well as ***20 draft resolutions*** presented by the Groups of Argentina, Australia, Cameroon, Canada, Chile, Denmark, Egypt, France, Germany, Iceland, India, Indonesia, Italy, Kuwait, Philippines, Senegal, United Kingdom, Uruguay, Venezuela and Zaire.

A total of 65 speakers took part in the debate which was held on the morning and afternoon of 17 April. Thereafter, the Committee appointed a ***drafting committee*** composed of representatives of the Groups of the following 13 countries : Argentina, Cameroon, Canada, Chile, Iceland, India, Indonesia, Italy, Morocco, Norway, Senegal, Spain and United Kingdom. The drafting committee met throughout 18 April and elected ***Mr. A. Datta (India)*** as its ***Chairperson*** and ***Mr. P. Adams (Canada)*** as its ***Rapporteur***. The drafting committee took the draft of the Group of Iceland as the basis for its deliberations but also drew extensively on many of the other texts which were before it. The resulting consolidated draft was adopted without a vote.

At its sitting on the morning of 19 April, the IVth Committee considered the text presented by the drafting committee. During the meeting, the Committee dealt with a number of amendments, of which only one was voted on. The text as a whole was then **adopted by 41 votes to 0, with 0 abstention.** The Turkish delegation then took the floor to explain its vote. Thereafter the Committee held the statutory election of its officers (see Section E.3).

On the afternoon of 19 April, Mr. P. Adams presented the IVth Committee's draft resolution to the Conference, which **adopted it without a vote** (see text of resolution in

Annex IV). The delegations of Turkey and Peru expressed reservations on operative paragraph 1 of the resolution.

(d) Fighting terrorism, an international phenomenon which threatens democracy and human rights as well as international peace and security and which hampers development; measures needed on the national and international levels to prevent acts of terrorism (Item 8)

After having decided to add this item to its agenda, the Conference referred it for consideration to the Ist Committee (on political questions, international security and disarmament).

The Ist Committee examined this item on 17 and 19 April under the guidance of its President, Mr. M.A. Martinez (Spain). It had before it ***3 draft resolutions*** submitted by the Groups of Egypt and Uruguay and, jointly, by those of Lebanon and the Syrian Arab Republic, as well as amendments to the text of the Egyptian Group submitted by the Groups of Turkey and Peru.

A total of 34 speakers took part in the debate held on the morning of 17 April. At the close of the discussion, the Committee appointed a ***drafting committee*** composed of representatives of the Groups of the following 11 countries: Argentina, Egypt, France, Germany, Ghana, India, Peru, Sweden, Syrian Arab Republic, Turkey and Uruguay. The committee began its work on the afternoon of the same day by electing ***Mr. J.M. Trobo (Uruguay) Chairman*** and ***Mr. M.A. Abdellah (Egypt) Rapporteur*** and by taking the draft resolution presented by the Egyptian Group as a working basis. It continued its work throughout the following morning. During its deliberations, several amendments which were new or had been taken from the other texts submitted were presented. Most of those new provisions were adopted. The consolidated text was adopted without a vote.

On the morning of 19 April, the Ist Committee, after having heard the report by the Rapporteur on the work of the drafting committee, proceeded to examine the consolidated text paragraph by paragraph. That exercise gave rise to the tabling of several amendments and to votes which led to the insertion of two new paragraphs in the operative part. The draft resolution, as amended, was **adopted unanimously.**

On the afternoon of 19 April, Mr. Abdellah submitted the draft resolution to the Conference. The delegation of Turkey requested the deletion of the list of international conventions given in the eighth preambular paragraph. The request was rejected by 1,141 votes to 31, with 71 abstentions (see details of the vote in Annex VI). The delegation of Peru then requested the deletion of the reference to the Fourth Geneva Convention of 1949 from the list in preambular paragraph 8. That request was rejected by 1,121 votes to 70, with 46 abstentions (see details of the vote in Annex VII). Subsequently, the delegation of Israel requested a separate vote on operative paragraph 9; the paragraph was adopted by 633 votes to 451, with 133 abstentions (see details of the vote in Annex VIII). The delegations of Turkey and Peru also requested the deletion of operative paragraph 10, a request which was rejected by 1,184 votes to 73, with 20 abstentions (see details of the vote in Annex IX). Lastly, at the request of the Israeli delegation, a vote was taken on the text as a whole, which was **adopted by 1,225 votes to 30, with 8 abstentions** (see details of the vote in Annex X and the text of the resolution in Annex V). The delegations of Turkey and

Peru expressed reservations on operative paragraph 10. Explanations of vote were given by the delegations of Germany, Islamic Republic of Iran, Switzerland and Uruguay.

5. AMENDMENTS TO THE STATUTES AND RULES OF THE CONFERENCE

(a) Amendment to Article 5.2 of the Statutes

On the proposal of the Executive Committee and having before it a positive recommendation from the Inter-Parliamentary Council, the Conference **unanimously approved** on 15 April the proposed amendment to Article 5.2 of the Statutes which is designed to ensure that delegations which are two full years in arrears in payment of their contributions to the Union cannot be represented at IPU meetings by more than two delegates (see text in Annex XI).

(b) Amendment to Article 22(g) of the Statutes

At its sitting on 15 April, the Conference had before it the amendment proposed by the Canadian Group and a sub-amendment presented by the Indian Group. Noting that the representatives of those two Groups had not yet reached an agreement on a combined version of their proposals, the Conference decided to postpone its decision on this question to its final sitting on the afternoon of 19 April. On that occasion, it **unanimously approved** the consolidated text resulting from the negotiations between the Canadian and Indian Groups which seeks to ensure that special or *ad hoc* committees set up by the Council contain not only a gender balance, but also a geopolitical and a geographical balance (see text in Annex XI).

(c) Amendment to Rules 11 and 34 of the Rules of the Inter-Parliamentary Conference

At its first sitting, the Conference took note that the Executive Committee had decided to **withdraw** its proposed amendments. It noted however that the Executive Committee proposed a new method to accelerate the procedure for selecting the supplementary item without it being necessary to amend the Rules of the Conference. In applying that new method, the Conference took decisions on the four requests in the course of one single roll call.

(d) Amendments to the Statutes and Rules of the Union to eliminate terms suggesting the superiority of one sex over the other

At its final sitting on 19 April, the Conference **unanimously adopted** a series of amendments to the Statutes and to its own Rules, proposed by the Meeting of Women Parliamentarians and designed to ensure that the Union's basic texts contain no language which could imply the superiority of one sex over the other. During the Istanbul session, the various statutory bodies adopted corresponding amendments to their own Rules (see Sections B.5 and C).

B. 158th SESSION OF THE INTER-PARLIAMENTARY COUNCIL

The Inter-Parliamentary Council held its 158th session in the Çiragan Palace in Istanbul on 15 and 20 April with its President, Dr. A.F. Sorour (Egypt), in the Chair.

1. AGENDA

At the start of its work on the morning of 15 April, the Council **adopted the agenda** proposed by the Executive Committee at its 221st and 222nd sessions.

2. MEMBERSHIP

At its sitting on 15 April, the Council decided with regret, on the recommendation of the Executive Committee, to suspend the affiliation of the Group of **Niger** while expressing the hope that representative institutions would be rapidly restored in that country. As a result of that decision, the Union is now composed of **133 member Parliaments** and **three associate members** (see membership list in Annex I).

The Council **took note with interest** of the report of the President on the outcome of a high-level IPU mission to Washington, composed of the President of the Council, the Vice-President of the Executive Committee, Mr. G. Haarde (Iceland), and the Union's Secretary General. The mission had met with members and senior officials of Congress at the Capitol on 28 February 1996, culminating in a meeting with the Speaker of the United States House of Representatives, Mr. N. Gingrich, as a result of which the uncertainties concerning the involvement of the US Congress in the activities of IPU were dispelled.

3. ACTIVITY REPORTS

At its first sitting, the Council **took note** of the **written report by the President** on his activities and contacts since the 157th session. At both sittings, the Council **took note** of the **oral report of the President on the activities of the Executive Committee** in the context of its 222nd session in Istanbul (see Section C). At its meeting on 15 April, the Council **took note** of the **interim written and oral reports of the Secretary General** on the activities of the Union since the 157th session of the Council and the composition of the various statutory and other bodies.

4. AGREEMENT OF CO-OPERATION BETWEEN THE UNION AND THE UNITED NATIONS

At its second sitting, the Council had before it the text of a draft agreement on co-operation between the Union and the United Nations, presented by the UN Secretariat following negotiations between the two Secretariats pursuant to the mandate given the UN Secretary-General in the resolution on the same subject adopted by the 50th session of the UN General Assembly. The text contains a section on general principles of co-operation and covers such areas as co-operation and consultation, appropriate representation, joint action and technical co-operation, co-operation between Secretariats, exchange of information and documents, supplementary arrangements, entry into force, amendments and duration. The Council took note that certain amendments proposed to the initial draft by the Executive

Committee had been accepted by the United Nations. After a discussion, the Council **approved** the revised text of the agreement and **authorized** its signature.

5. AMENDMENTS TO THE STATUTES AND TO THE RULES OF THE COUNCIL AND COMMITTEES

(a) Amendment to Article 5.2 of the Statutes

At its first sitting, the Council **unanimously expressed a favourable opinion** to the Conference concerning the Executive Committee's proposal to amend this Article of the Statutes, details of which will be found in Section A.5(a).

(b) Amendments to the Union's basic texts to eliminate terms suggesting the superiority of one sex over the other

At its first sitting, the Council had before it the complete set of amendments to all the Union's basic texts designed to eliminate terminology which could imply the superiority of one sex over the other, presented by the Meeting of Women Parliamentarians. After hearing a report by Mrs. F. Kéfi (Tunisia), the Council **decided unanimously to express a favourable opinion to the Conference concerning the proposed amendments to the Statutes** and, subject to the decision taken by the Conference (see section A.5(d)), **to adopt the proposed amendments to its own Rules, the Rules of the Study Committees, the Rules of the Secretariat and the Financial Regulations of the Union.**

(c) Amendment of Rule 53 of the Staff Rules and Regulations

On the recommendation of the Executive Committee, the Council decided at its second sitting to **amend** Rule 53 of the Staff Rules and Regulations to raise the retirement age from 60 to 62 years for all staff recruited after 1 May 1996. This amendment is part of the measures designed to improve the long-term actuarial situation of the Staff Pension Fund.

6. SECURITY AND CO-OPERATION IN THE MEDITERRANEAN

At its second sitting, the Council had before it the Final Document of the IInd Inter-Parliamentary Conference on Security and Co-operation in the Mediterranean (IInd CSCM), which had been held in Valletta (Malta) from 1-4 November 1995. It **adopted** without a vote the draft resolution on follow-up to the IInd CSCM (Annex XII) presented by the parties to the CSCM process (see Section D.2), thereby accepting their recommendation to hold a IIIrd CSCM within three years at the latest in Tunis and to organize specialized meetings in the meantime, of which the first is to be held in 1997 on the subject of employment and related questions.

7. SEMINAR FOR PARLIAMENTARIANS FROM WEST AND CENTRAL AFRICA

At its second sitting, the Council had before it a written report containing a summing-up of the work of this Seminar which was held in Ouagadougou (Burkina Faso) from 12-15 March 1996 on the working of Parliament in a multiparty setting. After a short discussion in which several delegates referred to the outstanding quality and value of the event, the Council **took note** of the results of the Seminar, in particular the recommendation that the Union should organize other such meetings in the future (see Annex XIII).

8. ACTIVITIES OF WOMEN PARLIAMENTARIANS

At its sitting on 20 April, the Inter-Parliamentary Council heard a report on the results of the Meeting of Women Parliamentarians held in Istanbul on Sunday 14 April under the presidency of Miss I. Aykut (Turkey), Minister of State, and on Friday 19 April under the presidency of Mrs. A. Nicolau (Romania), member of the Co-ordinating Committee of the Meeting of Women MPs. Presented by the latter, the report stressed the women MPs' insistence on strict respect for the statutory provisions making it an obligation for Parliaments comprising women members to include at least one such member in their delegations to IPU meetings.

The Council **took note** of the data in a comparative table on the distribution of seats between men and women in national Parliament and in delegations to the Union's Conferences. It also **took note** of the new composition of the Co-ordinating Committee of the Meeting of Women MPs (see Section E.5) and that of its Bureau (see Section D.1). The Council also **endorsed** the recommendations of the women MPs concerning the modalities for the organization of the New Delhi Inter-Parliamentary Symposium (see part 17 below), as well as their proposals to amend the Union's Statutes and Rules to eliminate terms implying the superiority of one sex over the other.

Moreover, the Council **took note** that the women MPs had discussed the question of organized violence against women and had, in that context, shown special sympathy with the women of Bosnia and Herzegovina, Algeria, Rwanda, Lebanon, Liberia and in East Timor. Lastly, it **took note** that the main theme of the next meeting of women MPs, to be held in Beijing on 15 September 1996, would be *"Poverty and extreme poverty: women as victims of this phenomenon and as key actors in its eradication"*.

9. HUMAN RIGHTS OF PARLIAMENTARIANS

On 20 April, Mr. N. Anastasiades (Cyprus), President of the Committee, reported to the Council on the work carried out by the Committee at its 72nd session held in Geneva from 22 to 25 January and its 73rd session which took place in Istanbul from 14 to 19 April 1996 (see Section D.3).

On the proposal of the Committee, the Council **adopted without a vote resolutions concerning 76 serving or former MPs in 13 countries: Albania, Bulgaria, Burundi, Cambodia, Colombia, Gambia, Honduras, Indonesia, Maldives, Myanmar, Nigeria, Togo** and **Turkey** (see Annexes XXV to XLIII). The presentation of the Committee's report on three of the cases gave rise to comments from the delegations of Burundi and Indonesia, with the latter declaring its disagreement with the resolutions on two Indonesian former members of parliament and requesting that this be formally noted.

At the close of his report, Mr. Anastasiades expressed the Committee's grave concern at the growing number of instances in which the human rights of members of parliaments were being infringed and appealed to all members of the IPU to redouble their efforts in defence of their colleagues so as to facilitate the settlement of the cases that are before the Council.

Mr. Anastasiades then gave the floor to Mr. H. Batalla (Uruguay), the Committee's Vice-President, who had led a delegation of the Committee to Ankara on 11 and

12 April for discussions regarding the cases of **11 former members of the Turkish Grand National Assembly**. The delegation's report, which had been endorsed by the Committee, was presented by Mr. Batalla to the Council. After having heard the views of the Turkish delegation, which expressed its disagreement with the report, the Council **endorsed its conclusions** and **adopted the accompanying resolutions without a vote**.

10. SUSTAINABLE DEVELOPMENT

At its second sitting, the Council heard a report presented by Mr. N.A. Sorkhoh (Kuwait) on the work of the Committee for Sustainable Development which had met at the Union's Headquarters on 25 March 1996. The Council **approved** the Committee's report, containing a number of proposals for the Union and its member Parliaments to contribute to the overall review and appraisal of the implementation of Agenda 21 (see Annex XIV) and suggestions for the Committee's future work programme. The Council also **took note** of a document prepared by the Committee indicating the status of ratification of the main international instruments in the field of environment. On the proposal of the Committee, the Council **unanimously adopted** a draft declaration on "The follow-up to Rio: financing and technology transfer" (see text in Annex XV) which will be brought to the notice of the UN Commission on Sustainable Development at its meeting in New York at the end of April 1996.

11. SITUATION IN CYPRUS

At its sitting on 20 April, the Council had before it the report containing the views and recommendations of the Committee to Monitor the Situation in Cyprus (Annex XXIII) presented by its President, Mr. H. Kemppainen (Finland). The Council then heard the observations of the delegation of Cyprus which stated its opposition to the report, feeling it to be unbalanced. The Council also heard the observations of the delegations of Turkey and the United Kingdom. It then **adopted the Committee's report without a vote**.

12. MIDDLE EAST QUESTIONS

At its second sitting, the Council heard the report of the Committee on Middle East Questions, presented by its President, Mr. D. Sow (Senegal). Following a brief discussion, the Council **approved** the Committee's report (see Annex XXIV).

13. PARLIAMENTARY SUPPORT TO HABITAT II

At its second sitting, the Council **adopted without a vote**, on the proposal of the Committee for Sustainable Development, a resolution on parliamentary support to the IInd United Nations Conference on Human Settlements (HABITAT II) which is to be held in Istanbul from 3-14 June 1996 (see text in Annex XVI).

14. MODERN INFORMATION TECHNOLOGY - MPS AND INTERNET

At its second sitting, the Council **approved without a vote** the recommendations made by the Executive Committee, on the basis of a report prepared by the Consultative Committee of Experts, concerning the use of information technology by Parliaments and the role of the Union as both a user and provider of services on the INTERNET (see details in

Annex XVII). The Council also noted that the necessary resources need to be foreseen in future budgets to enable this work to be pursued.

15. AGREEMENT OF CO-OPERATION BETWEEN THE UNION AND THE INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE (INTERNATIONAL IDEA)

At its meeting on 20 April, the Council had before it the proposal of the Executive Committee for an Agreement of co-operation between the Union and the International IDEA. The Council **approved** the text of the Agreement and **authorized** its signature.

16. FINANCIAL RESULTS FOR 1995

At its first sitting, the Council had before it the financial results of the Union for 1995 and the report of the External Auditor. It heard the oral report of its own auditors, Mrs. H. Castillo (Venezuela) and Mrs. F. Kéfi (Tunisia), presented by the latter, after which it **approved** the Union's accounts for 1995 and the Secretary General's financial administration for that year.

17. FUTURE INTER-PARLIAMENTARY MEETINGS

At its second sitting, the Council had before it the Executive Committee's proposal concerning the **agenda of the 96th Conference** which will be held in Beijing from 16 to 21 September 1996. After some discussion, it **agreed on** the wording of the two substantive items for the agenda (see Annex XXI), as well as the list of observers to be invited to follow the work of the session (see Annex XXII).

The Council **took note** of the invitations extended to the Union concerning future statutory Conferences, and of the fact that the Group of Nepal was no longer in a position to maintain its invitation to host the 100th Conference. The Council **approved** the modalities for the holding of the Inter-Parliamentary Symposium on "Towards Partnership Between Men and Women in Politics" scheduled to take place in New Delhi from 10 to 14 February 1997 (see Annex XVIII). It also agreed that the Union should (i) **support** the holding of a Forum for parliamentarians and tourism policy-makers organized by the World Tourism Organization in Bali (Indonesia) from 25 to 28 September 1996; (ii) **organize** a tripartite meeting on follow-up to the World Summit for Social Development at UN Headquarters in New York in early September 1996 (see details in Annex XIX); (iii) **organize** a "Parliamentarians' Day" on the occasion of World Food Summit in Rome in November 1996; and (iv) **grant its sponsorship** to a Workshop to be organized by UNICEF in Ashgabat (Turkmenistan) in late 1996 or early 1997 for countries of the Central Asia region on the implementation of the UN Convention on the Rights of the Child.

The list of the future meetings will be found in Annex XX.

C. 222nd SESSION OF THE EXECUTIVE COMMITTEE

The Executive Committee held its 222nd session in the Çiragan Palace in Istanbul on 12, 13 and 18 April 1996 with the President of the Inter-Parliamentary Council, Dr. A. F. Sorour (Egypt), in the Chair.

The following members and substitutes took part in the work of the session: Mrs. H. Castillo de Lopez (Venezuela); Mrs. V. Furubjelke (Sweden); Mr. G. Haarde (Iceland); Mrs. N.A. Heptulla (India); Mrs. F. Kéfi (Tunisia); Mr. E. Menem (Argentina); Mr. V.J. Mwaanga (Zambia), substituting for Mr. M.C. Sata; Mr. C.-S. Park (Republic of Korea); Mr. R. Riz (Italy); Mr. M. Szúrös (Hungary); Mr. B.A. Yé (Burkina Faso). Mr. B. Pahor (Slovenia) was unable to attend the session.

The Executive Committee devoted most of its work to preparing opinions or recommendations to the Council on various questions (see Section B). In particular, the Executive Committee considered the following issues:

- The Executive Committee considered a number of questions relating to such issues as the possible increase in its membership, the functioning of the current system of meetings and the frequency of Conferences. Rather than addressing these question in a piecemeal fashion, it decided to embark on an **overall reflection on the way in which the Inter-Parliamentary Union could better meet the expectations of the world-wide parliamentary community**. In order to advance this reflection in coming months, it set up a Working Group to be chaired by the President and composed of Mrs. V. Furubjelke, Mrs. N. Heptulla, Mr. E. Menem and Mr. B.A. Yé, which will meet at the Union's Headquarters in Geneva on 26 and 27 July 1996. This subject will also be given special attention by the Executive Committee at its meeting next September.

- The Executive Committee also considered the Union's activities for the **promotion of representative democracy** and advanced the plans for the preparation of a declaration on democracy. It also reviewed the Union's technical co-operation programme and approved plans which aim to **strengthen the IPU's capacity to provide assistance to parliaments**.

- In the context of its consideration of the **situation of the Group of the United States of America**, the Executive Committee heard Mr. K. Johnston, Secretary of the United States Senate, who provided information on the latest developments relating to this subject.

- The Executive Committee also heard General C. Boyd, Director of the **21st Century International Legislators Project**, and authorized him to demonstrate to delegates during the Conference this project which aims to establish a world-wide network of elected legislators via the Internet.

- After further discussing its proposed amendment to Rules 11 and 34 of the Rules of the Conference, concerning a revised method for selecting the supplementary item which was partly designed to save time in the plenary, the Executive Committee **decided to withdraw** the proposed amendments, but to suggest a new

method in which delegations would vote on the various requests in one single roll call and which would not require any amendment to the Rules.

- At the meeting on 13 April and subject to similar decisions by other statutory bodies during the Istanbul session, the Executive Committee **approved** the proposed amendments to its Rules designed to eliminate terms which could imply the superiority of one sex over the other.

- The Executive Committee heard the report of its representative on the Management Board of the Staff Pension Fund, Mrs. V. Furubjelke, and took a number of measures to improve the long-term actuarial situation of the Fund, including a recommendation o the Council that it amend Rule 53 of the Staff Rules and Regulations (see Section B.5). It also reappointed Mr. B. Knapp, a distinguished Swiss lawyer, as the President of the Consultative Committee foreseen in Rule 56 of the Staff Rules and Regulations.

D. MEETINGS OF VARIOUS BODIES AND COMMITTEES

1. WOMEN PARLIAMENTARIANS

The women parliamentarians held two sittings in Istanbul, one on Sunday 14 April with Miss I. Aykut, Turkish Minister of State, in the Chair, and one on Friday 19 April with Mrs. A. Nicolau, a member of the Romanian House of Deputies, in the Chair. The meeting was inaugurated by a ceremony at which the following persons spoke: Mrs. T. Darsoyo (Indonesia), Chairperson of the Co-ordinating Committee of Women Parliamentarians, Mr. A.F. Sorour, President of the Inter-Parliamentary Council, and Miss I. Aykut.

Nearly 120 women MPs from the delegations of the following 77 countries attended the sittings: Algeria, Angola, Armenia, Austria, Azerbaijan, Belgium, Benin, Bulgaria, Burkina Faso, Cameroon, Canada, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Denmark, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakstan, Kenya, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Malaysia, Mali, Moldova, Morocco, Namibia, Netherlands, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, United Kingdom, Uruguay, Uzbekistan, Venezuela, Zaire, Zimbabwe.

After analysing a comparative table showing the breakdown of seats between men and women in parliaments and in delegations to the Inter-Parliamentary Meetings, the participants expressed regret that women continued to be under-represented in their assemblies (11.3% in unicameral parliaments or lower houses, and 8.1% in Senates or upper houses, respectively), which in their view reflected a weakness of democracy. They hoped that the Union's members would be urged to comply more fully with the provision of the Statutes (Article 11.1) which stipulates that delegations from all Parliaments comprising women members must include at least one such member.

The participants spent several hours discussing the evaluation of national activities to follow up the work of the Fourth World Conference on Women and the *IPU Plan of Action to correct present imbalances in the participation of men and women in political life*. In this context, they discussed more particularly the question of organized violence against women, expressing special support for and solidarity with the women of Bosnia and Herzegovina, Algeria, Rwanda, Lebanon, Liberia and in East Timor. They also displayed special interest in the work of the United Nations Special Rapporteur on violence against women and the legislative model on domestic violence which she had just developed.

The participants further discussed the ongoing survey on women in political life which is designed to serve as a basis for the preparation of a comparative world study on women in political parties and on the electoral process. They also drafted detailed proposals for the modalities of the Inter-Parliamentary Symposium on "*Towards Partnership Between Men and Women in Politics*", which is to take place in New Delhi from 10 to 14 February 1997. Those proposals were adopted by the Inter-Parliamentary Council at its sitting on 20 April 1996. Finally, they recommended that the Council adopt the amendments

to the Statutes and Rules which had been prepared by a Working Group established by them and which aim at eliminating terms implying the superiority of one sex over the other. Those proposals were subsequently adopted by the Union's various bodies in Istanbul.

For their next meeting, which will take place in Beijing on 15 September 1996, the participants selected as the main subject for debate "*Poverty and extreme poverty: women as victims of this phenomenon and as key actors in its eradication*".

At the sitting on 19 April, regional representatives were elected to the Co-ordinating Committee of the Meeting of Women Parliamentarians (see Section D.5 for the current list of members). The new Co-ordinating Committee, which met straight away, elected Mrs. F. Kéfi (Tunisia) as President and Mrs. S. Finestone (Canada) and Mrs. M. Leyti Ndiaye (Senegal) as Vice-Presidents.

2. REPRESENTATIVES OF PARTIES TO THE CSCM PROCESS

The VIIIth Meeting of the Representatives of the Parties to the CSCM Process took place in Istanbul on Wednesday 17 April 1996, with Mr. G. Bonello du Puis (Malta) in the Chair. It was preceded by a session of the CSCM Co-ordinating Committee, chaired by Mr. M.H. Khelil (Tunisia) and attended by representatives of Egypt, France, Italy, Malta, Morocco, Syrian Arab Republic and Tunisia.

The following took part in the VIIIth session:

(i) *Main participants of the CSCM process* - representatives of the Parliaments of the following countries: Albania, Algeria, Bosnia and Herzegovina, Croatia, Cyprus, France, Greece, Israel, Italy, Libyan Arab Jamahiriya, Malta, Monaco, Morocco, Portugal, Slovenia, Spain, Syrian Arab Republic, Tunisia, Turkey and Yugoslavia

(ii) *Associate participants* - representatives of the Parliaments of the Russian Federation and the United Kingdom, and representatives of Palestine, the Arab Inter-Parliamentary Union, the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly for Black Sea Economic Co-operation and the European Parliament

(iii) *Observers* : representatives of other Parliaments and organizations with observer status at the 95th Inter-Parliamentary Conference, particularly those of Jordan and The Former Yugoslav Republic of Macedonia, who took the floor.

The participants discussed the results of the **IInd Inter-Parliamentary Conference on Security and Co-operation in the Mediterranean**, which took place in Valletta (Malta) from 1 to 4 November 1995, and the activities to follow up that meeting. They decided to present to the Inter-Parliamentary Council, in addition to the Valletta Final Document, a draft resolution to express their gratitude to the Maltese House of Representatives which hosted the IInd CSCM and to prepare future action within the Union with regard to the Mediterranean: this resolution, which may be found in Annex XII, was subsequently adopted by the Council.

As a follow-up to the Valletta Conference, the parties to the CSCM process recommended in particular the holding of a IIIrd CSCM within a maximum of three years in Tunis, at the invitation of the Tunisian Parliament. They further decided to hold in the meanwhile, at least once a year, meetings on specific topics organized in a simple fashion.

They agreed that the first of these thematic meetings, which would last two days maximum and would include a session of the CSCM Co-ordinating Committee, would cover the question of employment and related questions, such as training and migrant workers. Subject to confirmation, the delegation of Monaco offered to host the meeting.

The participants further undertook to encourage the debate of ideas within their national parliaments on Mediterranean questions. They felt that one instrument to maintain such a debate on a permanent basis could be the creation, within each parliament, of a study group for Mediterranean questions.

Lastly, the participants examined the requests of the Parliaments of Jordan and The Former Yugoslav Republic of Macedonia to become, respectively, a member and an associate member of the CSCM process. As they felt that the question of broadening of participation in the process should be based on specific criteria, they instructed the Co-ordinating Committee to study the question at an extraordinary session to be held in Geneva during the summer of 1996, and to submit to them criteria and recommendations at the IXth Meeting, which is to be held in Beijing on Wednesday 18 September 1996.

3. COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS

The Committee held its 73rd session in Istanbul from 14 to 19 April 1996. The session was chaired by Mr. N. Anastasiades (Cyprus) and attended by Mr. H. Batalla (Uruguay), Mr. C. Holding (Australia), titular members of the Committee. Mr. F. Autain (France) and Mrs. B. Skalli (Morocco) also took part in their capacity as alternate members.

The Committee held eight *in camera* meetings at which it studied the individual situations of 131 serving or former parliamentarians in 27 countries of all regions of the world. Taking advantage of the presence in Istanbul of the delegations of several of the countries concerned, the Committee, in keeping with its constant practice, conducted seven *in camera* hearings.

After a thorough study of the allegations and information before it, the Committee decided to submit to the Council a report and recommendations concerning the cases of 76 serving or former parliamentarians in 13 countries: Albania, Bulgaria, Burundi, Cambodia, Colombia, Gambia, Honduras, Indonesia, Maldives, Myanmar, Nigeria, Togo and Turkey (see Annexes XXV to XLIII).

4. COMMITTEE TO MONITOR THE SITUATION IN CYPRUS

The Committee held its Xth session in Istanbul from Tuesday 16 April to Thursday 18 April 1996. The following took part in the session: Mr. H. Kemppainen (Finland), President, Mr. J. Baumel (France), President, Sir Peter Lloyd (United Kingdom), Mrs. H. Keogh (Ireland), Mrs. Y. Luza (Egypt) and Mr. T. Wheelwright (Australia), called upon to replace Mr. L. McLeay, who was unable to attend the session. Mrs. Keogh, who was unable to attend the Committee's third meeting, was replaced by another member of her delegation, Mr. B. Fitzgerald.

The Committee was called on consider developments in the situation concerning Cyprus since October 1995. To that end, it heard separately representatives of the Greek Cypriot community, members of the delegation of the Republic of Cyprus to the 95th Inter-

Parliamentary Conference, and representatives of the Turkish Cypriot community. It also heard jointly on Tuesday 16 April members of the delegations of Greece, Turkey and the United Kingdom as representatives of the three Guarantor Powers established by the 1960 Treaty of Guarantee. Moreover, it had a meeting with the Turkish Minister for Foreign Affairs, Mr. E. Gönensay. It also had before it written information on the good-offices mission of the UN Secretary-General concerning Cyprus and documents presented by the representatives of the two communities, as well as memoranda presented by the representatives of the three Guarantor Powers.

In view of the fact that the Inter-Parliamentary Council will be required, at its 159th session in Beijing in September 1996, to examine the situation of all its *ad hoc* subsidiary organs, to which category it belongs, the Committee conducted a provisional evaluation of its work since its inception in late 1991.

In its report, the Committee brought before the Council its views and recommendations on the evolution of the Cyprus situation since October 1995, and presented its conclusions and opinions on its own work and its plans for its next session, which is to be held in Beijing from 17 to 19 September 1996. Annex XXIII contains the full text of the views and recommendations of the Committee as adopted by the Inter-Parliamentary Council. Section B.11 provides information on the work and decisions of the Council on this subject.

5. COMMITTEE ON MIDDLE EAST QUESTIONS

The Committee held its XVIIIth session in Istanbul on 17 and 18 April 1996 under the chairmanship of Dr. D. Sow (Senegal). Mr. M.A. Abdellah (Egypt), Mr. J. Baumel (France) and Mr. M.A. Martinez (Spain) were present, while Mr. A. Galanos (Cyprus) and Mr. N.C. Makombe (Zimbabwe) were not present at the Conference.

The Committee heard separately the representatives of the Arab Groups (Jordan, Palestine) and the representative of Israel. It also had before it the communication of the President of the Inter-Parliamentary Council concerning the decisions of the "Peace-Makers Summit" which had taken place in Sharm El-Sheikh (Egypt) in March 1996 and a letter dated 26 March 1996 addressed to the President of the Inter-Parliamentary Council by the Speaker of the Palestinian Legislative Council, dealing with the establishment of that Council and the situation in Palestine. The Committee also dealt with the situation in southern Lebanon. The full report of the Committee's work is contained in Annex XXIV.

E. ELECTIONS AND APPOINTMENTS

1. PRESIDENT OF THE 95th INTER-PARLIAMENTARY CONFERENCE

The 95th Conference elected **Mr. M. Kalemli**, Speaker of the Turkish Grtand National Assembly, as its President.

2. EXECUTIVE COMMITTEE

At its meeting on 20 April, the Inter-Parliamentary Council **elected by acclamation Mr. J. Wiatr (Poland)** to serve on the Executive Committee for a four-year term, in place of Mr. M. Szúrös (Hungary) whose term of office expired at the Istanbul meetings.

3. STUDY COMMITTEES OF THE CONFERENCE

Ist Committee (on Political Questions, International Security and Disarmament)

As the result of the elections held on 18 April, the Ist Committee's officers are as follows:

President: Mr. M.A. Martinez (Spain)
Vice-Presidents: Mr. T. Sambuaga (Indonesia) and **Mrs. H. Yakubu (Ghana)**

IVth Committee (on Education, Science, Culture and Environment)

As the result of the elections held on 19 April, the IVth Committee's officers are as follows:

President: Mr. J. Trobo (Uruguay)
Vice-Presidents: Mrs. I.Y. Dahlan (Indonesia) and **Mrs. A. Laustsen (Denmark)**

4. COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS

At its meeting on 20 April, the Inter-Parliamentary Council was required to elect the titular and substitute members for both the Africa region and the Twelve-Plus region. Having before it one candidate for each of the Twelve-Plus region posts, the Council **elected Mr. F. Autain (France) as titular member and Mr. F. Borel (Switzerland) as substitute member** for four-year terms of office. The Council had before it three candidatures for the titular post for the Africa region, those of Mr. H. Etong (Cameroon), Mr. M. Fathi Khalil (Sudan) and Mrs. B. Skalli (Morocco), an incumbent substitute member of the Committee. A vote was held by secret ballot, with the following result:

Total number of ballots:	143
Blank or void ballots:	9
Valid ballots:	134

Votes obtained:

Mr. H. Etong	61
Mrs. B. Skalli	59
Mr. M. Fathi Khalil	14

The Council thereby **elected Mr. H. Etong (Cameroon) as a titular member of the Committee** for a four-year term of office. **Mrs. B. Skalli (Morocco) remains a substitute member of the Committee**.

5. CO-ORDINATING COMMITTEE OF THE MEETING OF WOMEN PARLIAMENTARIANS

The composition of the Co-ordinating Committee, resulting from the election held by the Meeting of Women Parliamentarians on 19 April, is as follows:

Members	Expiry of term
***Members of the Executive Committee* (ex officio):**	
Mrs. H. Castillo de Lopez-Acosta (Venezuela)	September 1996
Mrs. V. Furubjelke (Sweden)	September 1997
Mrs. F. Kéfi (Tunisia)	September 1996
Mrs. N.A. Heptulla (India)	October 1999
***Presidents of the Meeting of Women Parliamentarians* (ex officio):**	
Mrs. A. Laustsen (Denmark)	September 1996
Mrs. A. Nicolau (Romania)	October 1997
Mrs. I. Aykut (Turkey)	April 1998
Group of African countries:	
Mrs. M. Leyti Ndiaye (Senegal)	April 1998
Mrs. N. Routledge (South Africa)	"
Group of Arab countries:	
Mrs. F. Kéfi (Tunisia)	"
Mrs. M. Khoury Assa'ad (Lebanon)	"
Group of Asia and Pacific countries:	
Mrs. S. Masdit (Thailand)	"
Mrs. Y. Takemura (Japan)	"
Group of Central and Eastern European countries:	
Mrs. Z. Busic (Croatia)	"
Mrs. T. Yaryguina (Russian Federation)	"
Group of Latin American countries:	
Mrs. M. Chavez Cossio de Ocampo (Peru)	"
Mrs. S. Piszk Feinzilber (Costa Rica)	"
Twelve Plus Group:	
Mrs. S. Finestone (Canada)	"
Mrs. L. Luhtanen (Finland)	"
Officers	
***President*:**	
Mrs. F. Kefi (Tunisia)	April 1998
***Vice-Presidents* :**	
Mrs. S. Finestone (Canada)	"
Mrs. M. Leyti Ndiaye (Senegal)	"

ANNEX I

MEMBERSHIP OF THE UNION
AS OF 20 APRIL 1996

Members (133)

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mexico, Moldova, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Associate Members

Andean Parliament, Latin American Parliament, Parliamentary Assembly of the Council of Europe

ANNEX II-A

VOTE ON REQUESTS FOR INCLUSION OF A SUPPLEMENTARY ITEM IN THE CONFERENCE AGENDA

At its sitting on 15 April 1996, the Inter-Parliamentary Conference applied a new method of voting on requests for inclusion of a supplemenary item in its agenda. A single roll-call vote was held to choose the supplementary item from among the four requests remaining on the list of proposals by the time the actual vote was called. For the sake of clarity, the breakdown of votes on each of these requests is presented in separate tables herebelow.

VOTE ON THE REQUEST OF THE EGYPTIAN GROUP

for the inclusion of a supplementary item entitled "Fighting terrorism, an international phenomenon which threatens democracy and human rights as well as international peace and security and which hampers development; measures needed on the national and international levels to prevent acts of terrorism"

Results

Affirmative votes	834	Total of affirmative and negative votes	935
Negative votes	101	Two-thirds majority	623
Abstention	473		

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Algeria	14	-	-	Hungary	8	-	5	Philippines	18	-	-
Andorra	6	-	4	Iceland	5	-	5	Poland	8	7	-
Angola	-	-	12	India	23	-	-	Portugal	12	-	-
Argentina	-	-	15	Indonesia	15	-	6	Rep. of Korea	16	-	-
Armenia	11	-	-	Iran (Islam.Rep.of)	-	-	17	Romania	12	-	2
Australia	-	-	13	Ireland	11	-	-	Russian Federation	15	-	5
Austria	-	-	12	Israel	10	-	-	Rwanda	12	-	-
Belarus	13	-	-	Italy	3	-	14	San Marino	5	-	5
Belgium	-	-	12	Japan	10	-	10	Senegal	12	-	-
Benin	11	-	-	Jordan	11	-	-	Singapore	11	-	-
Bosnia and Herzegovina	absent			Kazakstan	13	-	-	Slovak Republic	8	-	4
				Kenya	14	-	-	Slovenia	-	11	-
Brazil	-	-	20	Kuwait	11	-	-	South Africa	12	-	4
Bulgaria	6	-	6	Lao Peo.Dem.Rep	7	-	4	Spain	15	-	-
Burkina Faso	12	-	-	Latvia	11	-	-	Sri Lanka	13	-	-
Burundi	12	-	-	Lebanon	11	-	-	Sudan	14	-	-
Cameroon	13	-	-	Libyan Arab Jamahiriya	11	-	-	Sweden	2	-	10
Canada	2	12	-					Switzerland	-	-	12
Chile	-	-	13	Lithuania	3	-	8	Syrian Arab Rep.	13	-	-
China	13	-	10	Luxembourg	-	-	10	Thailand	9	-	-
Colombia	-	-	14	Malaysia	13	-	-	The FYR of Macedonia	8	-	3
Costa Rica	-	-	11	Mali	12	-	-				
Côte d'Ivoire	12	-	-	Malta	10	-	-	Togo	absent		
Croatia	11	-	-	Mauritania	11	-	-	Tunisia	12	-	-
Cuba	-	13	-	Mexico	-	-	19	Turkey	17	-	-
Cyprus	6	-	4	Moldova	11	-	-	United Arab Emirates	10	-	-
Czech Republic	13	-	-	Monaco	-	-	10				
DPR Korea	14	-	-	Mongolia	11	-	-	United Kingdom	-	-	17
Denmark	-	-	12	Morocco	14	-	-	Uruguay	-	-	11
Ecuador	absent			Namibia	6	-	5	Uzbekistan	14	-	-
Egypt	17	-	-	Nepal	9	-	4	Venezuela	-	-	13
El Salvador	-	-	12	Netherlands	-	13	-	Viet Nam	-	-	10
Estonia	3	-	8	New Zealand	-	-	11	Yemen	13	-	-
Finland	8	4	-	Nicaragua	absent			Yugoslavia	8	-	5
France	5	-	12	Norway	-	11	-	Zaire	15	-	-
Germany	-	19	-	Pakistan	12	-	8	Zambia	12	-	-
Ghana	13	-	-	Panama	9	-	2	Zimbabwe	8	-	5
Greece	-	-	13	Papua New Guinea	-	11	-				
Guatemala	-	-	12	Peru	-	-	14				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX II-B

VOTE ON THE REQUEST OF THE GROUP OF THE ISLAMIC REPUBLIC OF IRAN for the inclusion of a supplementary item entitled "Support of parliaments for the acceleration of negotiations on a Comprehensive Nuclear Test Ban Treaty (CTBT) in order that it be finalized in 1996"

Results

Affirmative votes	302
Negative votes	160
Abstention	922
Total of affirmative and negative votes	462
Two-thirds majority	308

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Algeria	-	-	14	Hungary	-	-	13	Philippines	18	-	-
Andorra	-	-	10	Iceland	5	-	5	Poland	-	15	-
Angola	-	-	12	India	-	-	23	Portugal	-	-	12
Argentina	-	-	15	Indonesia	21	-	-	Rep. of Korea	16	-	-
Armenia	8	-	3	Iran (Islam.Rep.of)	17	-	-	Romania	-	-	14
Australia	13	-	-	Ireland	-	-	11	Russian Federation	10	-	10
Austria	-	-	12	Israel	-	10	-	Rwanda	-	-	12
Belarus	-	-	13	Italy	-	-	17	San Marino	-	-	10
Belgium	-	-	12	Japan	20	-	-	Senegal	-	-	12
Benin	-	-	11	Jordan	-	-	11	Singapore	11	-	-
Bosnia and Herzegovina	absent			Kazakstan	7	-	6	Slovak Republic	-	-	12
				Kenya	7	-	7	Slovenia	-	11	-
Brazil	-	-	20	Kuwait	11	-	-	South Africa	8	-	8
Bulgaria	3	-	9	Lao Peo.Dem.Rep	-	-	11	Spain	-	-	15
Burkina Faso	-	-	12	Latvia	6	5	-	Sri Lanka	13	-	-
Burundi	-	-	12	Lebanon	-	-	11	Sudan	8	-	6
Cameroon	-	-	13	Libyan Arab Jamahiriya	11	-	-	Sweden	-	-	12
Canada	2	-	12					Switzerland	-	-	12
Chile	-	-	13	Lithuania	-	-	11	Syrian Arab Rep.	-	-	13
China	not participating			Luxembourg	-	10	-	Thailand	8	-	-
Colombia	-	-	14	Malaysia	13	-	-	The FYR of Macedonia	4	3	4
Costa Rica	-	-	11	Mali	-	-	12				
Côte d'Ivoire	-	-	12	Malta	10	-	-	Togo	absent		
Croatia	-	-	11	Mauritania	-	-	11	Tunisia	-	-	12
Cuba	-	13	-	Mexico	-	-	19	Turkey	-	17	-
Cyprus	-	-	10	Moldova	-	-	11	United Arab Emirates	-	10	-
Czech Republic	-	-	13	Monaco	-	-	10				
DPR Korea	-	-	14	Mongolia	11	-	-	United Kingdom	-	-	17
Denmark	-	6	6	Morocco	-	-	14	Uruguay	-	-	11
Ecuador	absent			Namibia	7	-	4	Uzbekistan	-	-	14
Egypt	-	-	17	Nepal	5	-	8	Venezuela	-	-	13
El Salvador	-	-	12	Netherlands	-	13	-	Viet Nam	-	-	10
Estonia	-	11	-	New Zealand	-	-	11	Yemen	-	-	13
Finland	-	-	12	Nicaragua	absent			Yugoslavia	9	-	4
France	-	17	-	Norway	-	-	11	Zaire	-	-	15
Germany	-	19	-	Pakistan	10	-	10	Zambia	-	-	12
Ghana	10	-	3	Panama	-	-	11	Zimbabwe	-	-	13
Greece	-	-	13	Papua New Guinea	-	-	11				
Guatemala	-	-	12	Peru	-	-	14				

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ANNEX II-C

VOTE ON THE REQUEST OF THE GROUP OF CUBA
for the inclusion of a supplementary item entitled "Rejection by Parliamentarians of the Helms-Burton Law"

Results

Affirmative votes	547
Negative votes	177
Abstention	675
Total of affirmative and negative votes	724
Two-thirds majority	483

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Algeria	-	-	14	Hungary	-	5	8	Philippines	10	-	8
Andorra	5	-	5	Iceland	-	-	10	Poland	-	15	-
Angola	12	-	-	India	23	-	-	Portugal	6	-	6
Argentina	15	-	-	Indonesia	10	-	11	Rep. of Korea	-	-	16
Armenia	2	-	9	Iran (Islam.Rep.of)	17	-	-	Romania	-	3	11
Australia	7	-	6	Ireland	-	-	11	Russian Federation	20	-	-
Austria	-	-	12	Israel	-	10	-	Rwanda	-	-	12
Belarus	13	-	-	Italy	-	-	17	San Marino	2	-	8
Belgium	-	2	10	Japan	-	-	20	Senegal	-	-	12
Benin	-	-	11	Jordan	-	-	11	Singapore	11	-	-
Bosnia and Herzegovina	absent			Kazakstan	4	-	9	Slovak Republic	2	2	8
				Kenya	7	-	7	Slovenia	-	11	-
Brazil	20	-	-	Kuwait	-	-	11	South Africa	13	-	3
Bulgaria	3	-	9	Lao Peo.Dem.Rep	11	-	-	Spain	15	-	-
Burkina Faso	-	-	12	Latvia	-	11	-	Sri Lanka	-	-	13
Burundi	-	-	12	Lebanon	-	-	11	Sudan	5	-	9
Cameroon	-	-	13	Libyan Arab Jamahiriya	6	-	5	Sweden	-	-	12
Canada	10	-	4					Switzerland	-	-	12
Chile	13	-	-	Lithuania	-	-	11	Syrian Arab Rep.	-	-	13
China	23	-	-	Luxembourg	3	7	-	Thailand	not participating		
Colombia	14	-	-	Malaysia	-	-	13	The FYR of Macedonia	-	-	11
Costa Rica	11	-	-	Mali	-	-	12				
Côte d'Ivoire	-	-	12	Malta	-	-	10	Togo	absent		
Croatia	-	-	11	Mauritania	-	-	11	Tunisia	-	-	12
Cuba	13	-	-	Mexico	19	-	-	Turkey	-	17	-
Cyprus	6	-	4	Moldova	-	-	11	United Arab Emirates	-	10	-
Czech Republic	-	13	-	Monaco	-	-	10				
DPR Korea	14	-	-	Mongolia	11	-	-	United Kingdom	-	-	17
Denmark	-	6	6	Morocco	4	10	-	Uruguay	11	-	-
Ecuador	absent			Namibia	9	-	2	Uzbekistan	-	-	14
Egypt	-	7	10	Nepal	4	-	9	Venezuela	13	-	-
El Salvador	12	-	-	Netherlands	-	13	-	Viet Nam	10	-	-
Estonia	-	11	-	New Zealand	-	-	11	Yemen	-	-	13
Finland	-	-	12	Nicaragua	absent			Yugoslavia	11	-	2
France	1	-	16	Norway	-	-	11	Zaire	-	-	15
Germany	-	19	-	Pakistan	2	-	18	Zambia	12	-	-
Ghana	13	-	-	Panama	11	-	-	Zimbabwe	13	-	-
Greece	13	-	-	Papua New Guinea	6	5	-				
Guatemala	12	-	-	Peru	14	-	-				

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ANNEX II-D

VOTE ON THE REQUEST OF THE GROUP OF UNITED KINGDOM (JOINTLY WITH THE GROUPS OF BELGIUM, CANADA AND SWITZERLAND)

for the inclusion of a supplementary item entitled "The urgent need to move towards a world-wide ban on the use, production, stockpiling and all forms of transfer of anti-personnel mines"

Results

Affirmative votes	830
Negative votes	50
Abstention	519
Total of affirmative and negative votes	880
Two-thirds majority	587

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Algeria	-	-	14	Hungary	13	-	-	Philippines	18	-	-
Andorra	10	-	-	Iceland	10	-	-	Poland	15	-	-
Angola	12	-	-	India	-	-	23	Portugal	12	-	-
Argentina	-	-	15	Indonesia	12	-	9	Rep. of Korea	16	-	-
Armenia	-	-	11	Iran (Islam.Rep.of)	17	-	-	Romania	14	-	-
Australia	13	-	-	Ireland	2	-	9	Russian Federation	-	-	20
Austria	12	-	-	Israel	10	-	-	Rwanda	12	-	-
Belarus	13	-	-	Italy	17	-	-	San Marino	10	-	-
Belgium	12	-	-	Japan	20	-	-	Senegal	-	-	12
Benin	-	-	11	Jordan	5	-	6	Singapore	-	-	11
Bosnia and Herzegovina	absent			Kazakstan	-	-	13	Slovak Republic	12	-	-
Brazil	-	-	20	Kenya	14	-	-	Slovenia	11	-	-
Bulgaria	12	-	-	Kuwait	11	-	-	South Africa	16	-	-
Burkina Faso	-	-	12	Lao Peo.Dem.Rep	7	-	4	Spain	15	-	-
Burundi	12	-	-	Latvia	11	-	-	Sri Lanka	13	-	-
Cameroon	10	-	3	Lebanon	-	-	11	Sudan	12	-	2
Canada	14	-	-	Libyan Arab Jamahiriya	-	-	11	Sweden	10	-	2
Chile	-	-	13	Lithuania	11	-	-	Switzerland	12	-	-
China	-	-	23	Luxembourg	10	-	-	Syrian Arab Rep.	-	-	13
Colombia	-	-	14	Malaysia	13	-	-	Thailand	not participating		
Costa Rica	-	-	11	Mali	-	-	12	The FYR of Macedonia	8	-	3
Côte d'Ivoire	12	-	-	Malta	10	-	-	Togo	absent		
Croatia	11	-	-	Mauritania	-	-	11	Tunisia	-	-	12
Cuba	-	13	-	Mexico	-	-	19	Turkey	-	17	-
Cyprus	7	-	3	Moldova	11	-	-	United Arab Emirates	-	10	-
Czech Republic	13	-	-	Monaco	10	-	-	United Kingdom	17	-	-
DPR Korea	-	-	14	Mongolia	11	-	-	Uruguay	-	-	11
Denmark	12	-	-	Morocco	-	-	14	Uzbekistan	-	-	14
Ecuador	absent			Namibia	11	-	-	Venezuela	-	-	13
Egypt	-	-	17	Nepal	8	-	5	Viet Nam	-	-	10
El Salvador	-	-	12	Netherlands	13	-	-	Yemen	-	-	13
Estonia	11	-	-	New Zealand	11	-	-	Yugoslavia	13	-	-
Finland	5	7	-	Nicaragua	absent			Zaire	5	-	10
France	17	-	-	Norway	11	-	-	Zambia	12	-	-
Germany	19	-	-	Pakistan	15	-	5	Zimbabwe	10	-	3
Ghana	13	-	-	Panama	-	-	11				
Greece	8	3	2	Papua New Guinea	11	-	-				
Guatemala	-	-	12	Peru	14	-	-				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX II-E

STOPPING THE ISRAELI AGGRESSION AGAINST LEBANON

Vote on the request of the Arab Groups for the inclusion of the above emergency supplementary item in the Conference agenda

Results

Affirmative votes	449
Negative votes	300
Abstentions	390
Total of affirmative and negative votes	749
Four-fifths majority	599

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Algeria	14	-	-	Hungary	-	-	13	Philippines	absent		
Andorra	-	-	10	Iceland	absent			Poland	-	15	-
Angola	-	-	12	India	23	-	-	Portugal	absent		
Argentina	15	-	-	Indonesia	21	-	-	Rep. of Korea	-	-	16
Armenia	8	-	3	Iran (Islam.Rep.of)	17	-	-	Romania	-	14	-
Australia	-	13	-	Ireland	absent			Russian Federation	12	-	8
Austria	-	10	2	Israel	-	10	-	Rwanda	-	-	12
Belarus	-	-	13	Italy	-	17	-	San Marino	-	-	10
Belgium	-	12	-	Japan	10	-	10	Senegal	12	-	-
Benin	-	-	11	Jordan	11	-	-	Singapore	-	-	11
Bosnia and Herzegovina	absent			Kazakstan	absent			Slovak Republic	absent		
				Kenya	10	-	4	Slovenia	absent		
Brazil	absent			Kuwait	11	-	-	South Africa	11	3	2
Bulgaria	-	-	12	Lao Peo.Dem.Rep	6	-	5	Spain	-	15	-
Burkina Faso	-	-	12	Latvia	-	10	1	Sri Lanka	-	-	13
Burundi	-	-	12	Lebanon	11	-	-	Sudan	14	-	-
Cameroon	-	-	13	Libyan Arab Jamahiriya	11	-	-	Sweden	-	12	-
Canada	-	14	-					Switzerland	-	12	-
Chile	-	-	13	Lithuania	absent			Syrian Arab Rep.	13	-	-
China	13	-	10	Luxembourg	-	10	-	Thailand	8	8	1
Colombia	absent			Malaysia	13	-	-	The FYR of Macedonia	-	-	11
Costa Rica	-	11	-	Mali	-	-	12				
Côte d'Ivoire	6	-	6	Malta	absent			Togo	absent		
Croatia	-	-	11	Mauritania	11	-	-	Tunisia	12	-	-
Cuba	13	-	-	Mexico	-	-	19	Turkey	12	-	5
Cyprus	absent			Moldova	-	-	11	United Arab Emirates	10	-	-
Czech Republic	absent			Monaco	absent						
DPR Korea	14	-	-	Mongolia	11	-	-	United Kingdom	-	16	1
Denmark	-	12	-	Morocco	14	-	-	Uruguay	-	-	11
Ecuador	absent			Namibia	11	-	-	Uzbekistan	-	-	14
Egypt	17	-	-	Nepal	absent			Venezuela	-	-	13
El Salvador	absent			Netherlands	absent			Viet Nam	5	-	5
Estonia	-	2	9	New Zealand	-	11	-	Yemen	13	-	-
Finland	-	4	8	Nicaragua	absent			Yugoslavia	-	-	13
France	-	17	-	Norway	-	10	1	Zaire	absent		
Germany	-	19	-	Pakistan	20	-	-	Zambia	not participating		
Ghana	absent			Panama	absent			Zimbabwe	6	-	7
Greece	absent			Papua New Guinea	-	11	-				
Guatemala	-	12	-	Peru	10	-	4				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX III

THE PROTECTION OF MINORITIES AS A GLOBAL ISSUE AND A PREREQUISITE FOR STABILITY, SECURITY AND PEACE

Resolution adopted without a vote by the 95th Inter-Parliamentary Conference (Istanbul, 19 April 1996)

The 95th Inter-Parliamentary Conference,

Considering that the upheavals of history have shown that the protection of minorities is essential to international stability, security and peace,

Noting that since the end of the Cold War, internal conflicts within States have featured with increasing regularity on the international political agenda,

Aware that all forms of discrimination lead to intolerance and infringe human rights and fundamental freedoms, including those of minorities, and thus threaten democratic pluralism and endanger national and international stability, security and peace,

Noting that in many countries of the world, minorities are demanding special protection and asserting their claim to greater participation in political decision-making, and bearing in mind that, often, representatives of minorities are seeking autonomy and secession from the existing sovereign State, citing the right to self-determination,

Emphasizing that problems of minorities often pose a challenge to the democratic constitution of States, their legislative and executive activities, and the willingness of citizens to show tolerance and seek consensus,

Recognizing that the international community has consistently reaffirmed its commitment to the protection of minorities, yet underscoring the need to respect individual fundamental rights and the integrity of the State,

Affirming the need to give the greatest possible support to the four most important objectives of domestic and foreign policy endeavours to promote peace, namely:

(a) protection of the individual and respect for human rights through the rule of law in democracy,

(b) protection of individuals belonging to minorities and respect for their political, social, economic, cultural and linguistic rights,

(c) observance of the integrity of existing States,

(d) achievement of tolerance, understanding and co-operation in order to attain and preserve stability and security,

Recalling the commitments to the protection of national minorities embodied in the conventions and declarations of the United Nations, especially the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of 18 December 1992; the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief of 25 November 1981; the Vienna Declaration and Programme of Action of 25 June 1993; and Convention N° 169 of the International Labour Organisation relating to Indigenous and Tribal Peoples of 27 June 1989,

Also recalling the same commitments made by regional organizations, especially the Council of Europe's Framework Convention for the Protection of National Minorities of 1 February 1995 and European Charter of Regional or Minority Languages of 5 November 1992, as well as the documents of the Organization for Security and Co-operation in Europe (OSCE),

Bearing in mind the provisions of Article 27 of the International Covenant on Civil and Political Rights, concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Also bearing in mind that the above-mentioned conventions and declarations have unfortunately proved insufficient to enforce rules of coexistence that prevent discrimination against persons or groups, regardless of their race, religion, nationality, sex, economic condition or social status, physical characteristics, or political ideology,

Recognizing that peaceful co-existence within States can be guaranteed only if the claims of individual citizens and the various minorities are coupled with a commitment to, and respect for, the principle of a non-partisan State and the rule of law, as well as to the basic norms of international law,

Deeply concerned, in particular, about the recent increase in the number of cases in which conflicts involving the protection and the right of participation of minorities have been deliberately provoked and have escalated into violence,

Convinced that oppression and persecution of minorities are the most frequent causes of expulsion, refugee flows and war, particularly where minorities are deprived, wholly or partly, of their right to pursue the development of their culture and traditions,

Deploring the fact that in certain cases, intolerance and violence involving minorities are deliberately provoked by demagogues who exploit latent prejudices for their own ends and manipulate information,

Aware that the cost of preventing conflict by implementing minority rights standards is minute compared to the cost of peacekeeping operations,

Realizing that progress in the field of the rights of individuals belonging to minorities depends on successful stimulation of social and economic development in areas where there is potential for conflict owing to national, ethnic, religious or racial tension,

Realizing also that in areas of potential conflict, active measures are necessary to prevent accumulation of weapons,

Appreciating the many efforts to prevent and resolve problems relating to minorities undertaken by the United Nations, especially its Commission on Human Rights and the High Commissioner for Human Rights, and within the framework of the OSCE, particularly by the OSCE High Commissioner on National Minorities,

Recalling the resolutions adopted by the 81st, 87th and 92nd Inter-Parliamentary Conferences held in Budapest (1989), Yaoundé (1992) and Copenhagen (1994), respectively,

A. Calls on Governments and Parliaments:

1. To enhance the legal status of minorities, in accordance with relevant international and regional conventions and declarations, such as ILO Convention No. 169 on Indigenous and Tribal Peoples;

2. To condemn expulsion, persecution and "ethnic cleansing" nationally and throughout the world;

3. To denounce all acts of racism, xenophobia and discrimination on grounds of nationality, race, ethnic group, colour, gender or religion, and to co-operate in creating effective laws in this connection;

4. To settle disputes and conflicts involving national, ethnic, religious or linguistic minorities by peaceful and non-violent means, and in a spirit of tolerance and mutual respect, in accordance with the United Nations Charter and international law;

5. To urge countries belonging to a region to conclude bilateral or multilateral treaties to implement the rights of minorities, thereby supporting the confidence-building process and the ultimate goal of peace and security;

6. To encourage links between global, transnational and regional organizations with a view to co-ordinating efforts to protect minorities;

7. To develop further the ability of the High Commissioner on Human Rights and the Centre for Human Rights to focus on the development of early warning mechanisms in order to prevent minority-based conflicts and, if necessary, to participate in the resolution of conflicts;

8. To adopt an open and responsive approach in negotiations on the safeguarding of minority rights, in order to ensure the territorial integrity of the State on the one hand and, on the other, the greatest possible protection of minorities and their right of participation;

9. To assist persons belonging to minorities by means of political dialogue, mechanisms which protect human rights and minorities, and the provision of advisory experts;

10. To promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve their religion, language, traditions and cultural heritage;

11. To recognize that freedom of expression includes the right of persons belonging to a national minority community to hold opinions and to receive and disseminate information in their language;

12. To ensure that persons belonging to minorities have access to the media and have the possibility of creating and using media in their own language;

13. To recognize that media have to be independent to fulfil the role they have to play in promoting domestic peace, especially during conflicts involving minorities;

14. To recognize that the executive and legislative branches have a special role and responsibility as guardians of human rights and protectors of minorities;

15. To take steps to protect and promote peaceful co-existence and constructive co-operation between the various communities within multicultural societies;

16. To give minorities the opportunity to present their interests and objectives to Parliament, and to encourage minorities to participate in public affairs;

17. To engage in open dialogue with the human rights bodies of non-governmental organizations and express interest in information and proposals concerning minority issues from such bodies;

18. To ensure:
    (a) equality for persons belonging to minorities with regard to access to education at all levels, health and social welfare; and
    (b) the right for minorities to have education in their own language, at least at the primary level;

19. To attach great importance to local and regional administrative provisions which take full account of the specific requirements of minorities at local and regional levels and to consider the appointment of ombudsmen to deal with individual complaints by persons belonging to minorities;

20. To remove all obstacles to the full enjoyment by minorities of the right of access to employment and of equal treatment at work, in order to diminish tensions between minorities and the rest of the national population;

21. To ensure the enforcement of measures adopted for the protection of the rights of minorities and to periodically review and analyse them in order to ensure their effectiveness in fostering societies that are stable, safe and just;

22. To take various confidence-building and other pragmatic steps designed to encourage their minorities to join the national mainstream and thereby promote national integration, recalling the philosophy of the Vedic times summed up in the two Sanskrit words "Vasudheva Kutumbakam", meaning "the world is my family";

23. To request that the United Nations Commission on Human Rights identify minority communities around the world and develop general guidelines on defining minorities;

B. Calls on minorities and their representatives:

1. To recognize that just as persons belonging to minorities have rights which require protection, they also have duties and obligations to respect civil order and the rule of law;

2. To seek peaceful solutions to their problems and refrain from using violence in securing their rights;

C. Recommends that Parliaments make the mechanisms of parliamentary diplomacy available for examining and solving questions concerning minorities.

ANNEX IV

CONSERVATION OF WORLD FISH STOCKS IN ORDER TO PROVIDE AN IMPORTANT SOURCE OF PROTEIN AND ENSURE THE CONTINUED VIABILITY AND ECONOMIC STABILITY OF FISHING AROUND THE WORLD

Resolution adopted without a vote* by the 95th Inter-Parliamentary Conference (Istanbul, 19 April 1996)

The 95th Inter-Parliamentary Conference,

Mindful of the challenges that a constantly growing world population poses to humankind,

Aware of the need to secure sufficient food for human use both now and in the future in a world where hundreds of millions of people suffer from hunger and malnutrition,

Recognizing that living marine resources are an indispensable renewable source of high-quality protein for humankind and, hence, a vital potential means of ensuring global food security for present and future generations,

Recognizing also that living marine resources are especially important as a source of animal protein for many of the less developed countries,

Deeply concerned that in the 1990s, the supply of fish for direct human consumption has stagnated owing mainly to overfishing and degradation of the freshwater, marine and coastal environment,

Noting that demand for fish for direct human consumption will, in all likelihood, continue to increase faster than supply if firm action is not taken to put a halt towards overfishing and the degradation of the freshwater, marine and coastal environment,

Noting further that overfishing is the cardinal problem in fish stock conservation and management and that it is caused by a number of factors, including population pressure combined with government subsidization of the fishing industry which maintains excessive fishing capacity, bad or predatory fishing practices, including the use of non-selective fishing gear, and inadequate fisheries management systems,

Convinced that improved fisheries management could yield substantial economic benefits,

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* The delegations of Turkey and Peru expressed reservations on operative paragraph 1.

Concerned that pollution of the seas, especially from land-based activities, has extremely harmful effects on marine life and its habitats and consequently reduces marine fish production while posing a real threat to the very survival of coastal populations which depend to a large extent on the sustainable utilization of living marine resources,

Noting in particular the contamination of fresh and marine waters with persistent organic pollutants - so-called POPS - which are a threat to the productivity and long-term sustainability of living marine resources,

Deeply concerned at the serious threats to freshwater, marine and coastal biological diversity from factors such as physical alterations, destruction and degradation of habitats, pollution and over-exploitation of living resources,

Also concerned that the decrease of living resources in some of the world's oceans has led to an increase in disputes among nations,

Recognizing the importance of inland fisheries, in particular for land-locked countries, where freshwater fish are often important for food security,

Taking account of the fact that the economies of some States are to a very large extent dependent on the exploitation of living marine resources,

Welcoming the World Food Summit to be held in Rome on 13 to 17 November 1996 with the aim of renewing the commitment of world leaders at the highest level to the eradication of hunger and malnutrition and the achievement of food security for all,

Recalling the relevant provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the 1992 Declaration of Cancún on Responsible Fisheries, the 1992 Rio Declaration and Agenda 21 of the United Nations Conference on Environment and Development, the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, the 1995 United Nations Agreement for the Implementation of the Provisions of the UNCLOS relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (Implementing Agreement), the 1995 Rome Consensus on World Fisheries, the 1995 FAO Code of Conduct for Responsible Fisheries, the 1995 Kyoto Declaration and Plan of Action on the Sustainable Contribution of Fisheries to Food Security, the 1995 Washington Declaration and Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities and the 1995 Report of the Second Meeting of the Conference of the Parties to the Convention on Biological Diversity (Conservation and Sustainable Use of Marine and Coastal Biological Diversity),

1. Urges States to sign and ratify the UNCLOS (1982), the UNCLOS Implementing Agreement (1995) and other relevant agreements mentioned in paragraph 16 of its preamble, all of which are of importance for the management, conservation and exploitation of living marine resources;

2. Emphasizes in particular the importance of the UNCLOS (1995) Implementing Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks as a practical and enforceable means to end high seas overfishing, as well as the Code of Conduct for Responsible Fisheries (1995) and the Agreement to Promote

Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (1993), both adopted by FAO Conferences;

3. Calls on States to promote and strengthen scientific research, including studies on the effectiveness of multispecies management and the ecosystem process-oriented approach, as the basis for the sustainable development of fisheries and aquaculture activities in order to ensure food security;

4. Also calls on States to ensure the sustainable and rational utilization of all living marine resources, including marine mammals, in order to optimize the sustainable yield of protein resources to satisfy human needs worldwide;

5. Urges all fishing nations to adopt legislation and implement necessary measures in order to ensure responsible fisheries management, including zoning and mapping of fishing grounds for sustainable fishing;

6. Calls on fishing nations to build the precautionary principle into their sustainable fisheries management policies, as recommended by the FAO;

7. Urges States to make every effort to minimize environmental degradation of inland waters and marine and coastal areas, especially by protecting habitats and spawning grounds, as the preservation of freshwater, brackish water marine and coastal environment is a prerequisite for achieving the sustainable development of fisheries;

8. Calls on the international community to take immediate action to curb marine pollution by persistent organic pollutants (POPs), including the phasing-out of POPs;

9. Also calls on States to eliminate current emissions and discharges of radioactive and chemical substances into the marine and coastal environment and prevent them in the future;

10. Encourages governments to comply with all relevant international standards regarding the operation of vessels and effective implementation of flag State controls;

11. Calls on States to pay particular attention to the significant problems caused by dumping from ships, to enhance controls at sea and, more particularly, to establish the necessary legal mechanisms for the enforcement of sanctions;

12. Invites States to ensure that the capacity of fishing fleets does not exceed the productive capacity of fisheries resources, thereby securing their long-term sustainable utilization, and to restructure their fishing fleets where necessary to meet this objective;

13. Calls on States to reduce and ultimately eliminate government subsidization of the fishing industry, which maintains excessive fishing capacity, and to promote a fishing industry that operates on a commercial basis;

14. Encourages States to commit themselves to the further development of environmentally sustainable freshwater, brackish water and marine aquaculture, including ranching, bearing in mind that aquaculture has enormous potential for increasing and stabilizing the world's supply of fish available for food;

15. Urges States to take measures to reduce by-catches, discards and post-harvest losses, and also urges all fishing nations to increase the available supply of better fish and fishery products for human consumption by (i) increasing use of small pelagic species for human consumption; (ii) reducing discarding at sea; (iii) making better use of by-catches through the development, improvement and sharing of appropriate storage, processing and distribution technology; and (iv) developing and promoting effective means of ensuring the safety of food of aquatic origin, including the harmonization of international regulations;

16. Calls on States to develop legislation, including appropriate enforcement mechanisms, to ensure the use of selective and environmentally safe fishing gear and practices in order to preserve biological diversity, maintain the integrity of marine ecosystems and minimize the risk of long-term or irreversible effects of fishing operations;

17. Urges States to take steps to encourage responsible trading in fish products, as indicated in Article 11 of the FAO Code of Conduct for Responsible Fisheries, in particular as regards juvenile fish and fish caught using predatory fishing practices, in order to contribute to the preservation and optimum management of resources;

18. Calls on the international community to provide technical and financial assistance to less developed countries to help them ensure that their fisheries make a sustainable contribution to food security;

19. Calls on States to encourage the development of small or artisanal fishing by the provision of adequate exclusively reserved fishing zones and infrastructural, technical and financial facilities, and to promote the welfare of coastal fishing communities;

20. Urges States to solve fisheries disputes in a peaceful manner in accordance with international agreements;

21. Calls on States to assist less developed countries in ensuring that the large industrial fishing fleets respect their exclusive economic zones;

22. Invites the international community to strengthen, *inter alia* through active participation of States, international and regional bodies whose activities concern the conservation and sustainable use of marine and coastal biological diversity, and calls on these bodies to review their programmes with a view to improving existing measures and developing new actions to promote the conservation and sustainable use of living marine resources, taking into account the recommendations for action by the parties to the Convention on Biological Diversity adopted by the Conference of the parties at its second meeting;

23. Calls on member Groups to ensure that parliamentarians are included in national delegations to the World Food Summit, and invites parliaments and individual parliamentarians to keep abreast of national and international preparations for the Summit;

24. Welcomes the suggestion that the IPU and the Italian Inter-Parliamentary Group should organize a meeting of parliamentarians present in Rome on the occasion of the World Food Summit;

25. Urges parliamentarians to redouble their efforts in pursuit of the above stated aims, and decides to forward this resolution to the World Food Summit and relevant international bodies.

ANNEX V

FIGHTING TERRORISM, AN INTERNATIONAL PHENOMENON WHICH THREATENS DEMOCRACY AND HUMAN RIGHTS AS WELL AS INTERNATIONAL PEACE AND SECURITY AND WHICH HAMPERS DEVELOPMENT; MEASURES NEEDED ON THE NATIONAL AND INTERNATIONAL LEVELS TO PREVENT ACTS OF TERRORISM

Resolution adopted by 1225 votes to 30, with 8 abstentions by the 95th Inter-Parliamentary Conference* (Istanbul, 19 April 1996)

The 95th Inter-Parliamentary Conference,

Deeply disturbed by the pernicious effects of the rapid development of terrorist practices, by the attempts of terrorists in certain countries to impose their political, economic social and religious views through oppression and the threat or use of force against the democratically expressed will of the people, and by their obstruction of the establishment of internal security and stability by State authorities, which threatens international peace and security,

Stressing that the danger of terrorist acts is that they undermine the structures and institutions of society, thereby sowing political instability, weakening the ability of States to confront the problems of development and compromising both the foundations of the democratic system and the fundamental freedoms of citizens and their right to express their opinions, principles and beliefs,

Emphasizing that a further danger of terrorist acts is that such acts contravene all international instruments calling for respect and protection of human rights through legal means, in accordance, in particular, with the Universal Declaration of Human Rights which proclaims the advent of a world in which human beings enjoy freedom of speech and belief and freedom from fear and want as the highest aspiration of mankind as a whole,

Recognizing that terrorism is a complex phenomenon which stems *inter alia* from various political, economic and social factors. The refuge and/or support given by some countries or interests to terrorists enable them to carry out their operations with impunity, a factor which has become one of the most serious causes of terrorism,

Aware that absence of democracy, failure to respect human rights and refusal to settle disputes by peaceful means are decisive factors in the development of terrorism,

Underscoring the importance of confronting terrorism worldwide by political, economic and security measures, as well as through regional and international co-operation to eliminate its effects,

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* The delegations of Peru and Turkey expressed reservations on operative paragraph 10.

Considering that terrorism is often linked to crimes which have widespread effects on society, such as the illicit transfer of arms, drug trafficking and money laundering, and that it also causes the displacement of populations, which first and foremost affects women and children,

Recalling all the relevant international documents and instruments, including UN and IPU resolutions, relating to all forms of violence and terrorism, and in particular:

- The Convention on Offences and Certain Other Acts Committed On Board Aircraft (Tokyo Convention, 1963);

- The Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague Convention, 1970);

- The Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montreal Convention, 1971);

- The Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents (1973);

- The International Convention Against the Taking of Hostages (1979);

- The Convention on the Physical Protection of Nuclear Material (1980);

- The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988);

- The Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, With Related Protocol (1988);

- The Convention on the Marking of Plastic Explosives for the Purpose of Identification (1991);

- The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949);

1. Strongly condemns all forms of terrorism;

2. Vigorously condemns, as human rights violations, all criminal attempts to assassinate or kidnap Heads of State or government and other officials and citizens, the rape of women as well as attacks on public and private establishments and embassies;

3. Urges the international community in the immediate term to strengthen its determination to fight terrorism, by consolidating and furthering democracy and by working towards the elaboration of an international convention capable of protecting the world against terrorism and providing for sanctions against any State which proves to be an accomplice or exporter of terrorism, which gives safe haven to and supports terrorists or enables them clandestinely to carry out

their acts of terrorism on the territory of another State, and also providing for the extradition of terrorists who escape from their country of origin or for their prosecution in the country of their apprehension;

4. Considers that those charged with or convicted of terrorist crimes shall not be accorded any special status before the law, if their acts constitute a violation of accepted international norms and conventions, and that political motives shall not be accepted as a defense against extradition in such cases;

5. Believes that a significant number of transnational organized crimes are directly perpetrated by terrorist organizations, that it is necessary for the act of terrorism to be considered as a crime which requires terrorists to be extradited and handed over to the authorities of the affected country so that the latter may bring criminal proceedings against them or execute sentences passed on them, and that it is also necessary to implement the relevant recommendations of the IXth UN Congress on the Prevention of Crime and Treatment of Offenders, held in Cairo from 29 April to 8 May 1995;

6 Calls on all States which have not yet done so to become parties to the international conventions concerning the problem of terrorism, to harmonize their domestic legislation with the provisions of such conventions and to take all appropriate measures at the national level for the prompt elimination of terrorism once and for all;

7. Urges all States to co-operate, particularly by exchanging pertinent experiences and information on measures capable of preventing and combating terrorism, by concluding treaties on the extradition and prosecution of terrorists, by refusing to grant terrorists political asylum and by concluding relevant new international conventions;

8. Calls for the establishment of an international code of ethics to strengthen international co-operation in all fields in order to rid the world of terrorism;

9. Considers that the massacre of refugees in a camp under the protection of the United Nations constitutes an act of State terrorism;

10. Recommends that all States strengthen democracy, promote human rights and favour dialogue and negotiation in the settlement of both internal and international disputes, as a means of preventing terrorism.

VOTE ON THE AMENDMENT PROPOSED BY THE GROUP OF TURKEY

to delete the text in the eighth preambular paragraph of the draft resolution on Item 8 after the words "all forms of violence and terrorism" up to the end of the paragraph

Results

Affirmative votes..... 31
Negative votes..... 1141
Abstention..... 71

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Albania	absent			Greece	-	10	-	Peru	-	14	-
Algeria	-	14	-	Guatemala	-	12	-	Philippines	-	18	-
Andorra	-	10	-	Hungary	-	10	-	Poland	-	15	-
Angola	-	-	12	Iceland	-	10	-	Portugal	-	12	-
Argentina	-	15	-	India	-	23	-	Rep. of Korea	-	16	-
Armenia	-	11	-	Indonesia	-	21	-	Romania	-	14	-
Australia	-	13	-	Iran (Islam.Rep.of)	-	17	-	Russian Federation	-	20	-
Austria	-	12	-	Ireland	absent			Rwanda	-	10	-
Azerbaijan	absent			Israel	-	10	-	San Marino	-	10	-
Belarus	absent			Italy	-	17	-	Senegal	-	12	-
Belgium	-	12	-	Japan	-	20	-	Singapore	-	11	-
Benin	absent			Jordan	-	11	-	Slovak Republic	-	12	-
Bolivia	-	12	-	Kazakstan	-	13	-	Slovenia	-	11	-
Bosnia and Herzegovina	-	10	-	Kenya	-	14	-	South Africa	-	16	-
Brazil	-	20	-	Kuwait	-	11	-	Spain	-	15	-
Bulgaria	-	12	-	Lao Peo.Dem.Rep	-	11	-	Sri Lanka	-	13	-
Burkina Faso	absent			Latvia	-	11	-	Sudan	-	-	14
Burundi	-	12	-	Lebanon	-	11	-	Sweden	-	12	-
Cameroon	-	-	13	Libyan Arab Jamahiriya	-	11	-	Switzerland	-	12	-
Canada	-	14	-	Lithuania	absent			Syrian Arab Rep.	-	13	-
Chile	-	13	-	Luxembourg	absent			Thailand	-	17	-
China	-	23	-	Malaysia	-	13	-	The FYR of Macedonia	-	11	-
Colombia	14	-	-	Mali	-	12	-	Togo	absent		
Costa Rica	absent			Malta	absent			Tunisia	-	-	12
Côte d'Ivoire	-	12	-	Mauritania	absent			Turkey	17	-	-
Croatia	-	11	-	Mexico	-	19	-	United Arab Emirates	-	10	-
Cuba	-	13	-	Moldova	-	11	-	United Kingdom	-	17	-
Cyprus	-	10	-	Monaco	absent			Uruguay	-	11	-
Czech Republic	absent			Mongolia	-	11	-	Uzbekistan	absent		
DPR Korea	-	14	-	Morocco	-	14	-	Venezuela	-	13	-
Denmark	-	10	-	Namibia	-	11	-	Viet Nam	-	10	-
Ecuador	absent			Nepal	-	13	-	Yemen	-	13	-
Egypt	-	17	-	Netherlands	-	13	-	Yugoslavia	-	13	-
El Salvador	absent			New Zealand	-	11	-	Zaire	-	15	-
Estonia	-	11	-	Nicaragua	absent			Zambia	absent		
Finland	-	12	-	Norway	-	11	-	Zimbabwe	-	13	-
France	-	17	-	Pakistan	-	-	20				
Germany	-	19	-	Panama	absent						
Ghana	absent			Papua New Guinea	-	11	-				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX VII

VOTE ON THE AMENDMENT PROPOSED BY THE GROUP OF PERU
to delete the last sub-paragraph in the eighth preambular paragraph of the draft resolution on Item 8

Results

Affirmative votes..... 70
Negative votes..... 1121
Abstention..... 46

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Albania	absent			Greece	-	10	-	Peru	14	-	-
Algeria	-	14	-	Guatemala	12	-	-	Philippines	-	18	-
Andorra	-	10	-	Hungary	-	10	-	Poland	-	15	-
Angola	-	-	12	Iceland	-	10	-	Portugal	-	12	-
Argentina	-	15	-	India	-	23	-	Rep. of Korea	-	16	-
Armenia	-	11	-	Indonesia	-	21	-	Romania	-	14	-
Australia	-	13	-	Iran (Islam.Rep.of)	-	17	-	Russian Federation	-	20	-
Austria	-	12	-	Ireland	absent			Rwanda	-	10	-
Azerbaijan	absent			Israel	-	10	-	San Marino	-	10	-
Belarus	absent			Italy	-	17	-	Senegal	-	12	-
Belgium	-	12	-	Japan	-	20	-	Singapore	-	11	-
Benin	absent			Jordan	-	11	-	Slovak Republic	-	12	-
Bolivia	-	12	-	Kazakstan	-	13	-	Slovenia	-	11	-
Bosnia and Herzegovina	-	10	-	Kenya	-	14	-	South Africa	-	16	-
				Kuwait	-	11	-	Spain	-	15	-
Brazil	-	20	-	Lao Peo.Dem.Rep	-	11	-	Sri Lanka	-	13	-
Bulgaria	-	12	-	Latvia	-	11	-	Sudan	-	-	14
Burkina Faso	absent			Lebanon	absent			Sweden	-	12	-
Burundi	-	12	-	Libyan Arab Jamahiriya	-	11	-	Switzerland	-	12	-
Cameroon	-	13	-					Syrian Arab Rep.	-	13	-
Canada	-	14	-	Lithuania	absent			Thailand	-	17	-
Chile	13	-	-	Luxembourg	absent			The FYR of Macedonia	-	11	-
China	-	23	-	Malaysia	-	13	-				
Colombia	14	-	-	Mali	-	12	-	Togo	-	11	-
Costa Rica	absent			Malta	absent			Tunisia	-	12	-
Côte d'Ivoire	-	12	-	Mauritania	absent			Turkey	17	-	-
Croatia	-	11	-	Mexico	-	19	-	United Arab Emirates	-	10	-
Cuba	-	13	-	Moldova	-	11	-				
Cyprus	-	10	-	Monaco	absent			United Kingdom	-	17	-
Czech Republic	absent			Mongolia	-	11	-	Uruguay	-	11	-
DPR Korea	-	14	-	Morocco	-	14	-	Uzbekistan	absent		
Denmark	-	12	-	Namibia	-	11	-	Venezuela	absent		
Ecuador	absent			Nepal	-	13	-	Viet Nam	-	10	-
Egypt	-	17	-	Netherlands	-	13	-	Yemen	-	13	-
El Salvador	absent			New Zealand	-	11	-	Yugoslavia	-	13	-
Estonia	-	11	-	Nicaragua	absent			Zaire	-	10	-
Finland	-	12	-	Norway	-	11	-	Zambia	-	10	-
France	-	17	-	Pakistan	-	-	20	Zimbabwe	-	13	-
Germany	-	19	-	Panama	absent						
Ghana	absent			Papua New Guinea	-	11	-				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX VIII

VOTE ON THE AMENDMENT PROPOSED BY THE GROUP OF ISRAEL
to delete operative paragraph 9 of the draft resolution on Item 8

Results

Affirmative votes..... 451
Negative votes..... 663
Abstention..... 133

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Albania	absent			Greece	-	10	-	Peru	14	-	-
Algeria	-	14	-	Guatemala	12	-	-	Philippines	18	-	-
Andorra	5	-	5	Hungary	10	-	-	Poland	8	-	7
Angola	-	12	-	Iceland	7	-	3	Portugal	8	4	-
Argentina	-	15	-	India	-	23	-	Rep. of Korea	-	-	16
Armenia	5	6	-	Indonesia	-	21	-	Romania	10	4	-
Australia	13	-	-	Iran (Islam.Rep.of)	-	17	-	Russian Federation	-	20	-
Austria	12	-	-	Ireland	absent			Rwanda	-	10	-
Azerbaijan	absent			Israel	10	-	-	San Marino	10	-	-
Belarus	absent			Italy	17	-	-	Senegal	-	10	-
Belgium	10	-	2	Japan	-	-	20	Singapore	-	6	5
Benin	absent			Jordan	-	11	-	Slovak Republic	absent		
Bolivia	-	12	-	Kazakstan	-	13	-	Slovenia	5	6	-
Bosnia and Herzegovina	-	10	-	Kenya	4	10	-	South Africa	5	9	2
				Kuwait	-	11	-	Spain	11	4	-
Brazil	10	-	10	Lao Peo.Dem.Rep	-	7	4	Sri Lanka	-	-	13
Bulgaria	4	-	8	Latvia	11	-	-	Sudan	-	14	-
Burkina Faso	absent			Lebanon	-	11	-	Sweden	12	-	-
Burundi	-	12	-	Libyan Arab Jamahiriya	-	11	-	Switzerland	8	4	-
Cameroon	13	-	-					Syrian Arab Rep.	-	13	-
Canada	14	-	-	Lithuania	absent			Thailand	-	17	-
Chile	-	13	-	Luxembourg	absent			The FYR of Macedonia	-	11	-
China	-	13	10	Malaysia	-	13	-				
Colombia	14	-	-	Mali	-	12	-	Togo	-	11	-
Costa Rica	absent			Malta	absent			Tunisia	-	12	-
Côte d'Ivoire	-	12	-	Mauritania	absent			Turkey	2	5	10
Croatia	11	-	-	Mexico	9	10	-	United Arab Emirates	-	10	-
Cuba	-	13	-	Moldova	2	7	2				
Cyprus	-	10	-	Monaco	absent			United Kingdom	15	-	2
Czech Republic	absent			Mongolia	-	11	-	Uruguay	-	11	-
DPR Korea	-	14	-	Morocco	-	14	-	Uzbekistan	absent		
Denmark	12	-	-	Namibia	2	7	2	Venezuela	13	-	-
Ecuador	absent			Nepal	11	-	2	Viet Nam	-	10	-
Egypt	-	17	-	Netherlands	13	-	-	Yemen	-	13	-
El Salvador	absent			New Zealand	11	-	-	Yugoslavia	-	10	3
Estonia	8	-	3	Nicaragua	absent			Zaire	-	10	-
Finland	12	-	-	Norway	7	-	4	Zambia	-	10	-
France	13	4	-	Pakistan	-	20	-	Zimbabwe	-	13	-
Germany	19	-	-	Panama	absent						
Ghana	absent			Papua New Guinea	11	-	-				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX IX

VOTE ON THE AMENDMENT PROPOSED BY THE GROUPS OF TURKEY AND PERU
to delete operative paragraph 10 of the draft resolution on Item 8

Results

Affirmative votes..... 73
Negative votes..... 1184
Abstention..... 20

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Albania	absent			Greece	-	10	-	Peru	14	-	-
Algeria	-	14	-	Guatemala	-	12	-	Philippines	-	18	-
Andorra	-	10	-	Hungary	-	10	-	Poland	-	15	-
Angola	-	12	-	Iceland	-	10	-	Portugal	-	12	-
Argentina	-	15	-	India	-	23	-	Rep. of Korea	-	16	-
Armenia	-	11	-	Indonesia	-	21	-	Romania	-	14	-
Australia	-	13	-	Iran (Islam.Rep.of)	-	17	-	Russian Federation	-	20	-
Austria	-	12	-	Ireland	absent			Rwanda	-	10	-
Azerbaijan	absent			Israel	-	10	-	San Marino	-	10	-
Belarus	absent			Italy	-	17	-	Senegal	-	12	-
Belgium	-	12	-	Japan	-	20	-	Singapore	-	11	-
Benin	-	11	-	Jordan	-	11	-	Slovak Republic	-	12	-
Bolivia	-	12	-	Kazakstan	-	13	-	Slovenia	-	11	-
Bosnia and Herzegovina	-	10	-	Kenya	-	14	-	South Africa	-	16	-
				Kuwait	-	11	-	Spain	-	15	-
Brazil	-	20	-	Lao Peo.Dem.Rep	-	11	-	Sri Lanka	-	13	-
Bulgaria	-	-	12	Latvia	-	11	-	Sudan	-	14	-
Burkina Faso	absent			Lebanon	-	11	-	Sweden	6	6	-
Burundi	-	12	-	Libyan Arab Jamahiriya	-	11	-	Switzerland	-	12	-
Cameroon	-	13	-					Syrian Arab Rep.	-	13	-
Canada	-	14	-	Lithuania	absent			Thailand	-	17	-
Chile	-	13	-	Luxembourg	absent			The FYR of Macedonia	-	6	5
China	-	23	-	Malaysia	-	13	-				
Colombia	-	14	-	Mali	-	12	-	Togo	-	11	-
Costa Rica	absent			Malta	absent			Tunisia	-	12	-
Côte d'Ivoire	-	12	-	Mauritania	absent			Turkey	17	-	-
Croatia	-	11	-	Mexico	-	19	-	United Arab Emirates	-	10	-
Cuba	-	13	-	Moldova	-	11	-				
Cyprus	-	10	-	Monaco	absent			United Kingdom	-	17	-
Czech Republic	absent			Mongolia	-	11	-	Uruguay	-	11	-
DPR Korea	-	14	-	Morocco	-	14	-	Uzbekistan	absent		
Denmark	-	12	-	Namibia	-	11	-	Venezuela	-	13	-
Ecuador	absent			Nepal	-	10	3	Viet Nam	-	10	-
Egypt	17	-	-	Netherlands	-	13	-	Yemen	-	13	-
El Salvador	absent			New Zealand	-	11	-	Yugoslavia	-	13	-
Estonia	-	11	-	Nicaragua	absent			Zaire	-	15	-
Finland	-	12	-	Norway	-	11	-	Zambia	-	10	-
France	-	17	-	Pakistan	-	20	-	Zimbabwe	-	13	-
Germany	19	-	-	Panama	absent						
Ghana	absent			Papua New Guinea	-	11	-				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX X

VOTE ON THE RESOLUTION ON ITEM 8 AS A WHOLE REQUESTED BY THE GROUP OF ISRAEL

Results

Affirmative votes..... 1225
Negative votes..... 30
Abstention..... 8

Country	Yes	No	Abs.	Country	Yes	No	Abs.	Country	Yes	No	Abs.
Albania	absent			Greece	10	-	-	Peru	10	4	-
Algeria	14	-	-	Guatemala	12	-	-	Philippines	18	-	-
Andorra	10	-	-	Hungary	10	-	-	Poland	15	-	-
Angola	12	-	-	Iceland	10	-	-	Portugal	12	-	-
Argentina	15	-	-	India	23	-	-	Rep. of Korea	16	-	-
Armenia	11	-	-	Indonesia	21	-	-	Romania	14	-	-
Australia	13	-	-	Iran (Islam.Rep.of)	17	-	-	Russian Federation	20	-	-
Austria	12	-	-	Ireland	absent			Rwanda	10	-	-
Azerbaijan	absent			Israel	-	10	-	San Marino	10	-	-
Belarus	absent			Italy	17	-	-	Senegal	12	-	-
Belgium	12	-	-	Japan	20	-	-	Singapore	11	-	-
Benin	11	-	-	Jordan	11	-	-	Slovak Republic	12	-	-
Bolivia	12	-	-	Kazakstan	13	-	-	Slovenia	11	-	-
Bosnia and Herzegovina	10	-	-	Kenya	14	-	-	South Africa	16	-	-
Brazil	20	-	-	Kuwait	11	-	-	Spain	15	-	-
Bulgaria	12	-	-	Lao Peo.Dem.Rep	11	-	-	Sri Lanka	13	-	-
Burkina Faso	absent			Latvia	11	-	-	Sudan	14	-	-
Burundi	12	-	-	Lebanon	11	-	-	Sweden	12	-	-
Cameroon	13	-	-	Libyan Arab Jamahiriya	11	-	-	Switzerland	12	-	-
Canada	8	6	-	Lithuania	absent			Syrian Arab Rep.	13	-	-
Chile	absent			Luxembourg	absent			Thailand	17	-	-
China	23	-	-	Malaysia	13	-	-	The FYR of Macedonia	11	-	-
Colombia	14	-	-	Mali	12	-	-	Togo	11	-	-
Costa Rica	absent			Malta	absent			Tunisia	12	-	-
Côte d'Ivoire	12	-	-	Mauritania	absent			Turkey	17	-	-
Croatia	11	-	-	Mexico	19	-	-	United Arab Emirates	10	-	-
Cuba	13	-	-	Moldova	11	-	-	United Kingdom	17	-	-
Cyprus	10	-	-	Monaco	absent			Uruguay	11	-	-
Czech Republic	absent			Mongolia	11	-	-	Uzbekistan	absent		
DPR Korea	14	-	-	Morocco	14	-	-	Venezuela	13	-	-
Denmark	12	-	-	Namibia	11	-	-	Viet Nam	10	-	-
Ecuador	absent			Nepal	11	-	2	Yemen	13	-	-
Egypt	17	-	-	Netherlands	8	-	5	Yugoslavia	13	-	-
El Salvador	absent			New Zealand	11	-	-	Zaire	15	-	-
Estonia	10	-	1	Nicaragua	absent			Zambia	10	-	-
Finland	12	-	-	Norway	11	-	-	Zimbabwe	13	-	-
France	17	-	-	Pakistan	20	-	-				
Germany	8	10	-	Panama	absent						
Ghana	absent			Papua New Guinea	11	-	-				

N.B. This list does not include certain delegations present at the Conference which were not entitled to vote by virtue of the provisions of Article 5.2 of the Statutes.

ANNEX XI

AMENDMENTS TO THE STATUTES OF THE UNION

(New wording in bold type)

ARTICLE 5.2

A National Group which is in arrears in the payment of its financial contributions to the Organization shall have no votes in the statutory bodies of the Inter-Parliamentary Union if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Inter-Parliamentary Council may, nevertheless, permit such a National Group to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Group. Prior to examining this question, the Council may receive a written explanation from the Group concerned. **Notwithstanding the provisions of Article 11.2 of the Statutes, such a Group shall not be represented by more than two delegates at meetings convened by the Union.**

ARTICLE 22(g)

The Inter-Parliamentary Council shall have, in particular, the following functions:

(...)

(g) To set up ad hoc or special committees and working groups to assist it in its work, while ensuring **geopolitical, geographical (regional and sub-regional) and** gender balance in their composition;

ANNEX XII

RESULTS AND FOLLOW-UP OF THE IInd INTER-PARLIAMENTARY CONFERENCE ON SECURITY AND CO-OPERATION IN THE MEDITERRANEAN
(Valletta, 1-4 November 1995)

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Having taken note of the results of the IInd Inter-Parliamentary Conference on Security and Co-operation in the Mediterranean (IInd CSCM), held in Valletta from 1 to 4 November 1995 at the invitation of the Maltese House of Representatives,

1. *Warmly thanks* the Maltese House of Representatives for the cordial welcome it extended to Conference participants and the excellent working conditions it provided at the Mediterranean Conference Centre and *notes* that, under the courteous and dynamic leadership of the Speaker of the House, the participants examined the various aspects of the three CSCM Baskets in a constructive spirit;

2. *Takes note* of the Final Document of the IInd CSCM, adopted by consensus at the close of the proceedings, and *notes with interest* the broad range of substantive, and often innovative, considerations and recommendations which it contains;

3. *Notes* that, by reaffirming and broadening the conclusions of the Ist CSCM, held in Malaga (Spain) in 1992, and by using as a basis the work done at the intermediate meetings held in 1994 and 1995 in Cagliari (Sardinia, Italy), Izmir (Turkey) and Alexandria (Egypt), the IInd CSCM confirmed that it was necessary and possible to conduct in the Mediterranean, in a spirit of trust and partnership, and with the participation of all Mediterranean States and States directly involved in the region, a multilateral security and co-operation process covering all issues relating to regional stability and security, co-operation and economic and social partnership as well as the dialogue among civilisations and human rights in the region;

4. *Therefore endorses* the recommendation of the IInd CSCM concerning the establishment of an association of Mediterranean States to support the process of security and co-operation in the Mediterranean, with a governmental and a parliamentary component;

5. *Notes* the recommendations of the IInd CSCM concerning measures to be taken to give effect as soon as possible to the recommendations set out in the Annex to the Final Document, and *accordingly calls on* the parties to the CSCM process to take such measures, if they have not already done so;

6. *Endorses* the recommendations of the IInd CSCM concerning future action within the Inter-Parliamentary Union and *therefore*:

   (i) *Authorizes* the representatives of the parties to the CSCM process to continue their consultations on the occasion of each of the IPU statutory Conferences, in order to take stock of progress in the institutionalization of the CSCM process, promote constructive initiatives and examine the information gathered by the IPU Secretary General on follow-up action and contacts made in the light of the contents of the Final Document of the Valletta Conference;

   (ii) *Approves* the principle of holding future meetings on security and co-operation in the Mediterranean, which it will include in the programme and budget of the Inter-Parliamentary Union in the light of the specific recommendations made by the participants in the CSCM process, and *notes in this connection* that the parties to the process already recommended that a IIIrd CSCM be held in Tunis within three years at most and, in the meantime, short meetings on specific subjects be organized on a low-cost technical basis, the first of such meetings being on employment and related issues;

7. *Notes with satisfaction* that the Valletta Final Document was brought to the attention of the participants in the Euro-Mediterranean Conference organized by the European Union in Barcelona (Spain) from 27 to 28 November 1995.

ANNEX XIII

RESULTS OF THE INTER-PARLIAMENTARY SEMINAR FOR PARLIAMENTARIANS FROM THE WEST AND CENTRAL AFRICA SUB-REGION (Ouagadougou, 12 - 15 March 1996)

FINAL REPORT

Rapporteur : Mrs. Leyti Mbayang Ndiaye (Senegal)

I have the challenging task of summing up our work to you in the space of a few minutes. Considering the breadth of the topics discussed and the rich and fruitful debates which have taken place over the past four days, it will be impossible for me to make an exhaustive presentation of all the points of view expressed here, and I therefore ask for your understanding.

First, I would like to refer to some leading ideas which have emerged from our debates.

The first point to make is that the participants greatly appreciated the initiative taken by the Inter-Parliamentary Union to organize this Seminar which has enabled us to compare our different experiences and to embark on a process of collective learning. We all leave the Seminar better aware of our roles, rights and responsibilities and we can look to the future of parliamentary democracy in the sub-region with optimism.

Moreover, the Seminar highlighted the fact that democracy, and more especially parliamentary democracy, is certainly more advanced in Africa than is generally thought. On the strength of some practical experience already, the participants were able to exchange their respective views and tackle the different themes from a practical standpoint, without being limited to abstract principles having little to do with African reality.

We took note that modernity is nobody's private preserve and that it was no good thinking in terms of imitations. The problem for African Parliaments is above all a question of having modern means at their disposal. Those means have their price, and the key is to make the very most of the possibilities by making realistic choices.

It also came out that, in the so-called advanced democracies and in the emerging democracies alike, there is no one particular solution to the problems facing Parliaments. Unrelenting efforts must be made in Parliaments and a constant battle waged to foster democracy and ensure that its roots grow deep so that the decisions taken by the public authorities are in the interest of the people and so that government is accountable to the people for its actions through representatives freely chosen by the people in free and fair elections.

On this point, the question of the representative nature of parliaments was discussed at length. The participants stressed how important it is for all sectors of society, particularly women and the various ethnic components, to be involved in the decision-making process. In that context, they took note with interest of the steps being taken in many African countries to set up a second Chamber which would often lead to a better integration of the local communities or traditional authorities. Moreover, such a second Chamber would act as a think-tank and thus increase the value of decisions taken by parliament.

Furthermore, we all shared the view that democracy is the outcome of an attitude and that everything must be done to promote a real culture of democracy in our societies, both among the political leaders and the entire population. As parliamentarians we have a special responsibility; our behaviour must place us at the forefront of our societies. The example we show and our action will contribute to their democratic education and, in turn, the emergence of societies in which a culture of democracy is better rooted will make our task easier and facilitate the working of a multiparty parliament.

I will now try to sum up the main features of our work on subjects which were often interwoven in such a way that certain questions came up again and again.

In the first part of our Seminar, we took up the leading principles which underlie the working of the institutions of the modern State, and particularly the fundamental relations existing between the Parliament and the Executive. Montesquieu's statement that *"power alone counters power"* enabled us to understand that confrontation between the Executive and Parliament is inevitable; but at the same time the smooth working of a sound democratic system requires that some form of co-operation be established between these two powers. In any event, everything must be done so that such confrontation does not bring institutions to a standstill or opens the door to a solution of force but can be resolved through the vote of the electorate.

This co-operation between the two powers is helped by the 'political solidarity pact' which links the parliamentary majority to the Government and by a certain distribution of roles as reflected in the two essential functions of Parliament, namely, legislating on the one hand, and oversight of Government action on the other.

As regards the legislative function, the rules of the game lay down that Government proposes and Parliament disposes. There is really no need to worry about this primacy of Government which means that the great majority of legislation stems from Government initiative. This is because Government is better equipped technically and in terms of human and material resources to prepare bills. On the other hand, it is important for Parliament to be able to intervene decisively on the content of the texts so that the laws adopted are qualitatively good and are commensurate with realities.

The right of Parliament to dispose of legislation is both strong and essential. The strength of Parliament comes from public debates, over which it has a monopoly, and from its capacity to influence the substance of the texts brought before it my introducing amendments; such amendments must stem from both the majority and the opposition. Parliament's contribution is essential since its members, through their knowledge of local conditions and their contact with the population, are able to adapt bills so that the laws adopted correspond to the reality experienced by the citizens. This is important if the law is to be really accepted, thus making its application easier.

The exercise of Parliament's oversight function is certainly the touchstone of democracy in that the democratic nature of a political system is basically conditioned by the oversight means available to Parliament. The opposition should not have the monopoly of oversight; but we have also seen how necessary it is in Africa for the opposition not to be accused of impeding the management of public affairs when it exercises that function. Government should not automatically be suspicious of every attempt by Parliament to exercise that control. And on their part, MPs should refrain from using that tool to call the government into question systematically. In the final analysis, when used wisely, the various forms of oversight help to promote a balance of power between the Executive and the Legislature, thus bringing about a better working of the democratic system.

We discussed at length the various ways in which Parliament can oversee the action of Government and the application of laws, including the management of the budget voted by Parliament and the conditions for contracting debts which involve the responsibility of future generations. And in the light of our mutual experiences, we looked into the different mechanisms available, particularly the various forms of questions to Government and the setting up of commissions of enquiry of various kinds, with a view to making those mechanisms more effective.

The requirement of a majority decision to establish a commission of enquiry seemed to us a serious impediment since in fact it places the opposition at the mercy of the majority. The participants pointed to the complexity of some of these means and the rather onerous nature of parliamentary commissions of enquiry, which sometimes restricts Parliament's ability to take action.

During the past four days we saw how important it is for Parliament to be properly informed, both when dealing with legislation and when overseeing Government action. The debate on this question brought to light the evident lack of the means required by political groups or individual MPs to gather the information necessary for parliamentary work. The explanations and statistics provided by the European experts brought us face to face with the considerable gap in this area between African Parliaments and those of developed countries, even if the latter feel that they still do not have all the means needed for their work. The participants pointed out that our countries have a pool of unemployed young university graduates who could help MPs to prepare the basic files they need, if only some basic additional resources could be mobilized for that purpose.

Several of us stressed that information must be a two-way process and that Parliament, just as much as Government, had a duty to be transparent. Further efforts should be made to ensure that Parliament's work is better known nationally, particularly since Parliament stands to gain from having its work appreciated and understood by the people who, if such is not the case, may be led to doubt the reasons for its existence. While noting with satisfaction the emergence of a free press, many participants remarked that much remains to be done for parliamentary work to be better covered by the media.

The outstanding feature of political life in Africa in recent years has been the emergence of multiparty politics. The existence of the opposition is now a constant element in each of our countries, although pluralism and its expression occur in various forms. Nobody challenged the importance of this interplay of differing opinions. Pluralism seems to be an irreversible feature, and efforts must be devoted to the future management of this phenomenon so that it works to the maximum benefit of our countries.

The debates on relations between the opposition and the majority were extremely lively and revealed the diversity of the situation and ways of perceiving it, as well as some frustration and hope. This led us to think that it was important to codify this confrontation between the majority and the opposition so that, however vigourous it is, it should never imperil the very foundations of democracy but should, on the contrary, foster the good governance of the country. And this gave rise to the suggestion that we need to establish a real status for the opposition offering it the conditions required for its normal working in the parliamentary setting.

For the institution of Parliament itself to function, it must have a solid and well organized body of staff. It is of capital importance for MPs to be able to count on an efficient Secretariat. Priority in organizing a parliamentary secretariat must go to the legislative and procedural committee services and to the documentation service. This body of civil servants should enjoy an unequivocal status guaranteeing them both stability and impartiality.

In this field, we saw again how important financial means are and how the precarious nature of our national economies complicated the issue. The debates showed that after first striking a new balance between the public powers of the Executive and the Legislature, the time had come to tackle the question of a new balance in the sharing of resources. Whatever our efforts and however much our ambitions will have to be tempered by reality, it will be difficult to establish multiparty parliamentary democracy without external assistance, both financial and material. We are therefore pleased to note the intentions of UNDP, as expressed by its representative, to do everything possible to develop the institutional capacity of our countries and we hope to be able to mobilize, through the Inter-Parliamentary Union, the support of those countries which have followed with interest the profound changes that have taken place in our continent.

We debated at length the question of relations between the MP and the citizen. Here it became clear that, over and above experiences common to all States, African MPs have additional obligations on account of the cultural particularities of our countries. We noted with interest some solutions which have been found, particularly in one country represented here where each MP is given an allocation to finance a project in his or her constituency. We all agreed on the need to find ways to ensure that our citizens do not expect too much from their MPs on the purely social and personal level and to give them a better understanding of the real functions of MPs.

We also held an interesting exchange on the role of Parliaments and MPs as guardians of human rights. We were able to assess our responsibilities for defending human rights and fundamental freedoms, both in our countries and in the world at large. The debate highlighted how important it is for MPs themselves to enjoy guarantees enabling them to protect their fellow citizens. Respect for immunities and ensuring security of the parliamentary mandate seem to us essential in this respect.

While reaffirming Parliament's role as a guardian of human rights, we were able to exchange views on the contribution we can make to the promotion and protection of human rights in our countries either through specialized bodies or through non-governmental organizations whose action we must facilitate and support. The participants advocated the creation in each of our countries of a parliamentary body for human rights, and they stressed the need for existing bodies to be strengthened and the need for co-operation and exchanges

between them with a view to increasing the effectiveness of their action. For this, we count on the support of the Inter-Parliamentary Union.

As a woman, I am pleased to stress the appeal made for redoubled efforts to improve the status of women in general and to promote their access to political decision-making spheres; this is an ineluctable phenomenon and we must work for its rapid and full achievement.

Since our age is characterized by the growing interdependence of countries and by the acceleration of international relations thanks to the outstanding progress in communications, we could not conclude our work without also devoting some attention to inter-parliamentary relations and co-operation, now known as parliamentary diplomacy.

We were thus able to note that national decisions must take account of what is happening elsewhere in the world and that parliamentary action cannot remain within the confines of the national context but must henceforth extend to the international domain. It therefore appeared necessary to add a parliamentary dimension to intergovernmental action. In this respect, organizations such as the Union of African Parliaments at the regional level and the Inter-Parliamentary Union at the world level seem well suited to channelling and harmonizing the efforts of Parliaments.

Lastly, we encouraged the Inter-Parliamentary Union to hold more events like this Seminar. We also felt that it should consider organizing other meetings on specific aspects of parliamentary work and should also bring together English-speaking, French-speaking and Portuguese-speaking MPs so that we can compare our parliamentary systems which are different since they are inherited from the colonial past of our countries.

I would like to end by thanking all the participants for their contribution to the successful outcome of this meeting through their statements and also for the sincerity with which they all expressed the wealth of their political diversity. In conclusion, I wish to thank my colleagues for having done me the honour of making me their spokesperson at the end of our work.

ANNEX XIV

IPU PROGRAMME OF WORK TO CONTRIBUTE TO THE OVERALL REVIEW AND APPRAISAL BY THE UNITED NATIONS OF THE IMPLEMENTATION OF *AGENDA 21*

Recommendations of the Committee for Sustainable Development adopted by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Committee for Sustainable Development examined at its meeting on 25 March how best the IPU could contribute and bring a parliamentary dimension to the Special Session of the UN General Assembly which will take place in June 1997 when States will undertake an overall review and appraisal of the implementation of Agenda 21. The following recommendations were formulated by the Committee for the consideration of the Inter-Parliamentary Council:

(i) **Parliaments and their members should be considered a "major group".** *Agenda 21* recognizes that broad public participation constitutes a fundamental prerequisite for the achievement of sustainable development and identifies a number of "major groups" which it considers critical to the effective implementation of *Agenda 21*, such as women, children and youth, indigenous communities, non-governmental organizations, local authorities, workers and their trade unions, business and industry, scientific and technological community, and farmers. National parliaments carry out important work to follow up and implement *Agenda 21* as evidenced by IPU's reports to the UNCSD. The Union should therefore put forward a formal proposal to the United Nations that national parliaments and their members be added to the category of "major group" in the sense this term is used throughout *Agenda 21*.

(ii) **IPU should submit an overall review of parliamentary action to implement *Agenda 21*.** This study would build upon the two enquiries already carried out by the Committee for Sustainable Development in 1994 and 1995. A brief questionnaire would be sent out to all national Parliaments and, in particular, parliamentary committees dealing with environment and sustainable development issues. The Committee for Sustainable Development would review the material received at its next session and prepare a full report for consideration and adoption by the 160th session of the Inter-Parliamentary Council (Seoul, April 1997);

(iii) **IPU should also prepare a statement on "Changing consumption and production patterns".** There is a growing international consensus of the need to focus on unsustainable patterns of production and consumption and to develop national policies and strategies to encourage changes in unsustainable consumption patterns. Since this is an item which has not been treated at

previous IPU Conferences, it should be placed on the agenda (IVth Study Committee) of the 97th Inter-Parliamentary Conference in Seoul with a view to the adoption of a declaration on this subject. To facilitate the work of the Conference, the Committee for Sustainable Development should prepare a draft of such a Declaration at its next meeting based on the written contributions of National Groups;

(iv) **IPU should submit a political statement on financing and technology transfer.** The issue of financial resources and mechanisms, particularly commitments undertaken by industrialized countries in this respect, and the transfer of environmentally sound technologies is likely to remain a major concern in regard to the implementation of *Agenda 21*. The Committee for Sustainable Development should therefore prepare at its next session an updated version of this year's Declaration on financing and technology transfer for consideration and adoption by the Inter-Parliamentary Council;

(v) **IPU should also publish an updated version of the *World Directory on Parliamentary Bodies for Environment*.** This publication has been greatly appreciated and has proved its worth, both to facilitate contacts and as an educational tool. Since the first edition appeared in early 1994, many changes have however occurred and it is now largely out of date. A new edition should be published in 1997 in time for the special session of the UN General Assembly.

(vi) **National Parliaments could devote one sitting to consider progress in implementing *Agenda 21*.** The Inter-Parliamentary Council could invite National Parliaments to devote one special sitting to consideration of progress achieved in implementing *Agenda 21*. This would also provide an opportunity for national Parliaments to contribute to the overall review and assessment which governments will be undertaking in preparation of next year's Special Session of the UN General Assembly.

ANNEX XV

THE FOLLOW-UP TO RIO: FINANCING AND TRANSFER OF TECHNOLOGY

Declaration adopted by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

One of the essential achievements of the United Nations Conference on Environment and Development (UNCED) was that it demonstrated that the interdependence of nations was stronger than North/South confrontation. Indeed, this Conference helped us understand that economic growth, social development and the elimination of poverty in developing countries were essential goals not only for these countries themselves but for the achievement of sustainable development worldwide.

In Rio, it was agreed that "the provision to developing countries of effective means, *inter alia*, financial resources and technology, without which it will be difficult to implement their commitments, will serve the common interests of developed and developing countries and of humankind in general, including future generations".

The Inter-Parliamentary Union has actively associated itself with the UNCED process. It considers that the provision of adequate financing and the transfer of environmentally sound technologies are essential components for the achievement of sustainable development. Accordingly, it has on many occasions encouraged its member parliaments to press their governments to respect their commitments and to support their action to this end. In addition, in the course of the UNCED follow-up evaluations carried out by the Committee for Sustainable Development, the Inter-Parliamentary Council has been led to note that difficulties in solving questions relating to financing and transfer of technology have gravely hindered efforts to implement the programme mapped out in Rio.

Thus, the deterioration of the international economic environment and the worsening of the economic situation in the developed countries (rising unemployment, trade deficit and growing government debt) have to a large extent eroded the promises made in Rio. As for the developing countries, since they lack the necessary human, technological, scientific and financial resources, their ability to meet the needs of sustainable development is considerably restricted. In these countries, political instability (lack of democracy) and armed conflicts often create additional obstacles.

The decline in official development assistance (ODA), both in absolute terms and as a percentage of gross national product (GNP), is a cause for profound concern. ODA is an important source of outside funding for many developing countries. In addition, it can play a significant role in promoting sustainable development in regions and sectors which are not very likely to attract private capital, including direct foreign investment.

Even though there has been a considerable increase in flows of private capital, the fact that they are concentrated in a limited number of developing countries and sectors is worrying. In addition, they are unstable and are rarely geared to conservation of the environment and transfer of technology. Sudden withdrawals of such funds have an extremely destabilizing impact on the economies of developing countries.

External indebtedness continues to hamper the growth of the developing countries and prevents them from honouring their commitments to sustainable development.

The governments of the developed countries have moved away from their original commitment to the transfer of environmentally sound technologies at favourable (concessional and preferential) terms and are now tending to rely on the private sector. This means that primary consideration is given to the needs of the market, while insufficient account is taken of the social, economic, ecological and cultural situation of the recipient countries and of their priorities.

Moreover, countries which lack the necessary resources to draw up and apply national policies conducive to transfer of technology do not benefit from such transfer, which further limits their ability to apply the recommendations set out in Agenda 21.

The Inter-Parliamentary Council deplores this state of affairs, which could well call into question the world partnership for sustainable development and threaten the survival of humankind over the long run.

It recognizes that in the light of the worsening world economic situation, it is becoming more and more difficult for the governments of the North and the South alike to keep their commitments, which impose heavy sacrifices on them in the immediate future and whose benefits will only be felt over the long term, on a planetary scale. However, mindful that the cost of inaction far outweighs the cost of applying the carefully thought-out decisions taken at UNCED:

- It calls once again on the governments of the developed countries to respect the commitments which they undertook by adopting the Agenda 21 Programme, including those relating to granting the developing countries new and additional foreseeable financial resources, increasing ODA to 0.7 per cent of GNP and transferring ecotechnologies at favourable terms;

- In this connection, it welcomes the pragmatic approach adopted recently by the Commission on Sustainable Development, which consists of putting figures to needs on a sector-by-sector basis, and strongly urges the Commission to continue its work along these lines;

- It stresses the need to supplement and reinforce international financial flows by improving the efficiency of aid and by mobilizing national resources in both developed and developing countries, particularly through economic instruments and policy reforms as well as by the creation of national environmental funds;

- It deems it necessary to cut subsidies which reduce economic efficiency and cause environmental degradation, while offsetting such cuts by direct income support to the most vulnerable groups;

- It stresses the fact that the governments of developed and developing countries themselves have a joint responsibility to take measures to encourage foreign private investment in developing countries which is capable of contributing to sustainable development and guaranteeing the stability of private capital flows;

- It reaffirms that further progress is essential if an effective, sustainable and development-centered solution is to be found to the problem of the indebtedness of the developing countries, in particular the poorest and the most indebted ones. In this connection, it encourages the introduction of innovative mechanisms such as debt-for-nature swaps or debt-for-social-development swaps;

- It urges international financial institutions and development agencies to redouble their efforts to integrate the economic, social and environmental goals of sustainable development in their institutional strategies and priorities;

- As far as transfer of technologies is concerned, it stresses that these technologies should be demand-centered, environmentally sound and tailored to meet the needs of their potential users, in the light of the social, economic and cultural situation and priorities of the country concerned;

- It calls on governments to set minimum environmental standards for technology transfer and co-operation in this field, to integrate ecotechnologies in technical assistance programmes and to take concrete steps to encourage partnership agreements between suppliers of technologies and potential users. They should in particular strengthen co-operation between government bodies, the private sector and scientific and technical institutions at the national level;

- It recalls that the private sector plays an essential role in technology transfer and that it is up to governments to create conditions conducive to such transfer. To this end, it urges the governments of the developed countries to use in particular financial and tax incentives to encourage private enterprises to promote and accelerate the transfer of ecotechnologies in the developing countries; it further calls on the developing countries to establish a transparent and reliable legal framework and to make the necessary efforts to acquire, assess, adapt and utilize ecotechnologies. Furthermore, these countries should strive to make more use of local technologies which are likely to foster sustainable development;

- Finally, it urges the parliaments and parliamentarians of the world, as guardians of the public interest, to take full advantage of the mechanisms and means of action at their disposal to maintain, in their countries, the essential political will to apply these decisions.

By adopting this Declaration, the Inter-Parliamentary Council calls on decision-makers throughout the world to seize the occasion of the general assessment which is to be made in 1997 to launch the spirit of Rio anew and to guarantee that the vast hopes created by the World Earth Summit are not disappointed.

ANNEX XVI

PARLIAMENTARY SUPPORT TO THE SECOND UNITED NATIONS CONFERENCE ON HUMAN SETTLEMENTS (HABITAT II)

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Noting that the UN General Assembly, by its resolution 47/180 of 22 December 1992, decided to convene the second United Nations Conference on Human Settlements (Habitat II) in Istanbul, Turkey, from 3-14 June 1996,

Further noting that the Inter-Parliamentary Union has followed the Habitat II preparatory process with particular attention and that it was represented at the three substantive sessions of Conference Preparatory Committee held in Geneva (11-22 April 1994), Nairobi (24 April - 5 May 1995), and New York (5-16 February 1996), respectively,

Bearing in mind the objectives of Habitat II, dubbed "the City Summit", which aims at increasing global and national awareness of the problems and potentials of human settlements as important inputs to social progress and economic growth, and at encouraging the world's leaders to make commitments towards making cities, towns and villages healthy, safe, just and sustainable,

Recalling that, on many past occasions, the inter-parliamentary community and its world organization - the IPU - have addressed issues of human settlements, urban management, housing and shelter, and that this was done in particular with regard to the Union's contribution and follow-up to such major UN fora as the Conference on Environment and Development (Rio de Janeiro, June 1992), the International Conference on Population and Development (Cairo, September 1994), the World Summit for Social Development (Copenhagen, March 1995), and the Fourth World Conference on Women (Beijing, September 1995),

1. Supports the holding of the second United Nations Conference on Human Settlements, and hopes that the "City Summit" will promote new policies and strategies for urban management, housing development and solution of urban environmental problems, adequately reflecting them in the "Habitat Agenda" to be adopted by the Conference;

2. Expresses its belief that the success of Habitat II will depend on its capacity to set realistic and attainable goals to which all nations can subscribe and which all cities can implement;

3. Stresses that the "City Summit" should take full account of and carry further forward the thrust of recommendations drawn up by the continuum of world fora convened by the United Nations in recent years;

4. Points out that many of the human settlements problems will require legislative action and that participation of national parliaments and their members in the implementation of the Habitat II commitments will therefore be vitally important;

5. Invites parliaments and individual MPs to keep themselves informed about issues placed on the agenda of Habitat II so as to contribute to discussions under way in this respect and influence the working-out of their respective countries' positions with regard to the "City Summit";

6. Calls on parliaments to ensure that MPs are also included in national delegations to Habitat II;

7. Requests the Union's Executive Committee to envisage appropriate action by which the Union and its members could contribute to the implementation and follow-up of the Habitat II decisions.

ANNEX XVII

ROLE OF THE UNION IN THE USE OF MODERN INFORMATION TECHNOLOGY

Recommendations approved by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The utilization of the Internet facilities would substantially enhance the Union's responsiveness to the requirements of its members and constitute a change in the ways of its functioning as an information provider. By firmly establishing its presence on the Internet, the IPU could pave the way for the advancement of the totality of its members in this field.

There are a number of specific fields where application of the Internet technologies is likely to offer quick and tangible benefits both to individual IPU members and the Union as a whole.

(a) Opening the IPU databases for on-line access

At present, the two IPU databases, PARLINE and PARLIT are not directly accessible to outside users. The only users who can access the databases are operators of computers connected to the local area network at the Union's headquarters in Geneva. Today's level of development of the World-Wide Web technology can make these databases accessible on-line to millions of Internet users, starting with IPU members.

External users would not have to know much about the particular database software applied by the information provider, the IPU. Nor would they need to acquire any special hardware or software if their Internet connection is already in place. Information retrieved from the IPU Web server via telephone lines would always be as up to date as the Secretariat can maintain it. In addition, those parliaments that have obtained the complete database software package and prefer to continue using it would have the option of downloading data updates directly from the IPU by means of the Internet's native file transfer protocol.

(b) Documents and publications on-line

The IPU could make many of its documents and publications available on-line via the Internet. Materials relating to the Union's statutory Conferences (convocations, resolutions, summary records, important speeches, and so on) could be placed in separate chronological folders available for easy reference. The same would be valid for public documentation of the Inter-Parliamentary Council and other bodies of the IPU, as well as for the Union's Statutes and Rules. Initially, such documents could be made available in their present textual form without any keywords or other additions. Later on, important documents could be provided with keywords and hypertext-link references so as to facilitate subsequent search by topic, name, date, etc.

Another prospect would be linked with the use of electronic publishing tools of the Web which make it possible for information providers to present on-line documents in a graphically attractive form blended with multimedia elements like sounds, animation and video. Thus, traditional hard-copy publications of the Union, such as the IPU Bulletin and the information brochure, might receive their electronic extension" in the form of nicely designed Web pages. This would be a totally new type of IPU publications - paperless, colourful, with multimedia effects.

(c) IPU as a universal parliamentary relay on the Web

As more and more national parliaments join the World-Wide Web with their own servers, the IPU site could become a universal parliamentary relay, a sort of focal point for all sorts of parliamentary activities on the Web. In other words, the IPU site would not hold additional information, but would simply help interested users by redirecting their inquiries to the relevant parliamentary server. This prospect is possible due to the remarkable capacity of Web servers to maintain user-transparent hypertext-links between different sites, making seamless navigation between Web sites so simple that it has become a permanent feature of nearly all Home Pages.

Among the first to be linked in this way could be Web servers belonging to national parliaments. They could be grouped together on the IPU Home Page, for example, in the form of a colourful collection of national flags, clicking on each of which would send users to the Web site of the corresponding parliament. An alternative approach would be to create an interactive clickable" map of the world, whereby parliamentary Web servers are reachable by a simple point and click on the desired country on the map.

(d) Providing proxy Web servers for national parliaments

For lack of adequate resources, some IPU members may not be able to set up their own Web servers. Internet technology makes it possible for the IPU to play an important bridging role in this regard as well. Proxy servers could be set up as special sections on the Union's server and maintained on behalf of individual parliaments so that every such server would appear as though being run by the corresponding parliament.

Information placed on proxy servers would have to be provided by the parliaments themselves and would remain their exclusive responsibility and property. The Union would simply host the member parliament's section on the IPU Web server, thus making the former's information available to all Internet users. Until such time as all national parliaments achieve full Internet connection, this approach may represent a healthy alternative that would help to bring about a more equitable distribution of benefits of modern communication technologies among IPU members.

(e) Co-operation with other organizations active on the Web

Inasmuch as intergovernmental organizations, NGOs and other institutions are setting up their own Web sites, it may be a logical and useful step to establish cross-references with some of them as well. The Union has already received a number of proposals to this effect.

ANNEX XVIII

MODALITIES PROPOSED FOR THE INTER-PARLIAMENTARY SYMPOSIUM ON THE SUBJECT *"TOWARDS PARTNERSHIP BETWEEN MEN AND WOMEN IN POLITICS"*

Approved by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The holding of the Symposium is foreseen in the *Plan of Action to Correct Present Imbalances in the Participation of Men and Women in Political Life* (see Section D.IV) adopted by the Inter-Parliamentary Union (IPU) in March 1994 as a contribution to the Fourth World Conference on Women (Beijing, September 1995).

Place and dates

In April 1994, the Inter-Parliamentary Council accepted the invitation of the Parliament of India to hold the Symposium in **New Delhi**, in the context of the follow-up to the Plan of Action and the Fourth World Conference on Women (Beijing, September 1995).

The timing of the Symposium was chosen bearing in mind the need to let at least one year elapse since the Beijing Conference before making a first assessment of national follow-up of its recommendations.

In agreement with the host Parliament, it is proposed to hold the Symposium, in New Delhi, **from 10 to 14 February 1997**.

Objectives of the Symposium

The Symposium is part of IPU's activities to promote representative democracy. By focussing on the democratic deficit resulting from the low representation of half of the population - women - in the Parliaments of most countries of the world, it aims to examine how society as a whole can benefit from a new contract for politics based on partnership and to provide an opportunity to reflect on ways of achieving democracy as defined by IPU in 1992: *"The concept of democracy will only assume true and dynamic significance when policies and national legislation are decided upon jointly by men and women with equitable regard for the interests and aptitudes of both halves of the population"*.

Nature of the meeting

According to the practice of IPU[1], a Symposium is a gathering for dialogue among persons from various circles having a common interest in a subject. Unlike a Conference, which is by nature an exercise in negotiation, it does not aim to conclude with a negotiated document (resolution, platform of action, etc.) adopted by vote or by consensus. At the end of a Symposium, the President makes a declaration which sums up the various views, conclusions and suggestions put forward and which does not engage the direct responsibility of the participants or the Parliaments or institutions which they represent.

Participation

As was the case with the Symposium held in Geneva in 1989, the New Delhi meeting will bring together MPs and other persons of either sex (experts, representatives of intergovernmental and inter-parliamentary organizations, both international and national non-governmental organization, and the media).

The maximum number of members per delegation could be set as 4 persons.

Since the meeting will focus on partnership between men and women, the invitation could point out that delegations should preferably be made up of an equal number of men and women, and should in any event include both genders.

Preparatory Committee

In accordance with IPU's practice with regard to specialized meetings, a small group assisted by the IPU Secretary General will be responsible for the intellectual preparation of the Symposium and the organization of its work.

This Preparatory Committee will identify the various subjects to be studied under the agenda established by the Inter-Parliamentary Council; it will arrange a suitable sharing of tasks among the personalities invited to launch the debates; it will take steps to ensure that the overall time is used to the best advantage; and it will advise the President on the best way of running the debates.

The Committee could be composed of a representative of the Indian Parliament, the host of the meeting, and six persons of different nationalities, chosen from among the persons called on to perform a particular function during the Symposium.

To the extent possible, the Preparatory Committee should include a balanced number of men and women. Its composition should also reflect a balance among the various regions[2].

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1 IPU has organized numerous Symposia in the last 30 years; in particular, in November 1989, it held an Inter-Parliamentary Symposium in Geneva on the topic *"Women's Participation in the Political and Parliamentary Decision-making Process"*. Some of the arrangements for the New Delhi Symposium are drawn from that experience.

2 For reference purposes, it will be recalled that the *"Plan of Action to Correct Present Imbalances in the Participation of Men and Women in Political Life"* was drawn up by a group comprising one man and one woman MP proposed by each of the following groupings: Group of African countries, Group of Asia and Pacific countries, Group of Latin American and Caribbean countries, Twelve Plus Group, Group of Arab countries, Group of Central and Eastern European countries.

The Preparatory Committee will hold a first meeting at IPU Headquarters in Geneva from 4 to 5 November 1996. It will hold a second meeting on the eve of the Symposium at the Indian Parliament in New Delhi to finalize the preparations for the meeting.

Organization of work

After an ***inaugural ceremony*** at the Indian Parliament in the presence of the highest authorities of the Indian Parliament and Government, the first morning would be given over to the launching of the debate in ***plenary*** by three high-level political figures; in the spirit of the Symposium, at least one would be a man. Each of these three figures would have some 30 minutes in which to set out the problems, make suggestions and provoke a dialogue. These three persons could be MPs or persons from outside parliament.

According to the time available, these preliminary presentations would be followed by brief interventions by the participants to comment on or develop a given aspect of a presentation or to solicit clarification from the speakers.

After this first contact, the participants would be invited to take part in a ***Round Table with the media*** on *The Image of Women Politicians in the Media* (see below).

The delegates would then break up into six ***Regional Workshops***. The list of Workshops would be established on the basis of the groupings in the footnote on page 3. Each Workshop would meet for half a day, two Workshops meeting each morning and two each afternoon. The Bureau of each Workshop would be composed of a moderator (man or woman) who would also act as Rapporteur: even though they would be identified and contacted in advance, these persons would be formally appointed in plenary before the end of the first day of work. The debates in each Regional Workshop would be launched and led by one woman and one man from the region, each of whom would have 10-15 minutes to outline the problems, make suggestions and provoke an exchange of views: These two persons could be MPs or persons from outside Parliament. Participants would be invited to take the floor spontaneously for brief unprepared interventions, in the form of dialogues. As the number of participants and requests to take the floor would vary considerably from one Workshop to another, all of which will have an identical duration, it would be for the person responsible for moderating the debates to see to it that the greatest possible number of persons could speak.

At the close of the Regional Workshops, the delegates could meet in **plenary** to compare the results of the discussions in the various Workshops and draw up the list of concrete proposals which could be taken therefrom in order to arrive at the desired partnership.

The ***final plenary*** would be preceded by a ***consultation*** among the President of the Symposium, the General Rapporteur and the Rapporteurs of the Regional Workshops who would prepar : the text of the Final Declaration summing up the debates and the list of proposals.

Proposed agenda

Since the meeting is fairly short but will cover a very broad topic likely to prompt reflections on a great variety of questions, it is proposed to place one single subject on the agenda for plenary sittings in order to leave it to participants to raise the aspects on which they wish to focus.

Proposed subject:

Partnership between men and women in politics, a new social contract for politics which respects the dual nature of the composition of society as a whole - Ways and means to achieve this partnership.

It is proposed to also include a single subject on the agenda of all of the Regional Workshops and, in order to complement the plenary debates, to focus debate in the Workshops on practical experiences in order to draw concrete lessons and proposals from practice.

Proposed subject:

Practical experience and proposals in order to achieve a more balanced sharing of political responsibilities between men and women - going beyond mere recognition of the current democratic deficit and analysis of obstacles to the practice of partnership

Round Table with the media

As was already the case at the IPU Symposium in 1989, the New Delhi Symposium provides an opportunity to organize a Round Table with the media on ***The image of women politicians in the media***.

This subject could be debated by a panel composed of three or four journalists and three or four politicians, moderated by a media representative. After a first exchange among the panelists, delegates present in the room would take part in the debate.

The Round Table would last for not more than three hours on the afternoon following the launching of the debates. To the extent possible, the Round Table debates would be covered by TV, broadcast either live or later.

TIMETABLE

Date	*Morning*	*Afternoon*
Monday 10 February	9 a.m.-2 p.m. ***Preparatory Committee***	4 p.m. ***Inaugural Ceremony*** 7 p.m. Reception
Tuesday 11 February	9.30 a.m.-1 p.m. ***Plenary***: - Opening of work - Election of the Officers of the Symposium (Pres.; possibly Vice-Pres. and Gen. Rapport.) and procedural questions - Launching of debate by 3 high-level political figures - Reactions to presentations	2.30 - 5 p.m. ***Round Table with the media*** on: *The Image of Women Politicians in the Media* 5.30 p.m. ***Plenary*** Appointment of the Officers of the Regional Workshops
Wednesday 12 February	9 a.m.-1 p.m. ***Regional Workshops*** Asia and Pacific Workshop and Arab countries Workshop	2 p.m.-6 p.m. ***Regional Workshops*** Latin America and Caribbean Workshop and Twelve Plus Workshop
Thursday 13 February	9 a.m.-1 p.m. ***Regional Workshops*** Africa Workshop and Central and Eastern Europe Workshop	3.30 p.m.-7 p.m. ***Plenary*** - Presentation of the work of the Regional Workshops and the results of the Round Table - Debate on the reciprocal lessons and proposals to be derived from the variety of experiences
Friday 14 February	9 a.m. - 1 p.m. ***Consultation*** between the Officers of the Symposium and the Rapporteurs of the Regional Workshops Preparation of the Final Declaration summing up the work	4 p.m.-5.30 p.m. ***Plenary*** - Final Declaration summing up the work - List of proposals on ways and means to achieve partnership between men and women in politics - Close of the Symposium

Sharing of responsibilities

Taking the above into account, responsibilities would be shared as follows :

The Preparatory Committee would include, the person designated by the Indian Group to chair the Symposium, the Chairperson of the Co-ordinating Committee of the Meeting of Women MPs, and a maximum of *five or six other persons*, chosen from among those called to launch and lead the Symposium debates. An effort would be made to strike a balance regionally and between men and women.

The Bureau of the Symposium would be composed of a *President* and a *General Rapporteur*. As is customary at the Inter-Parliamentary Union, the President would be *ex officio* a member of the Parliament of India, the host of the Symposium. If necessary, a Vice-President, from the same country, could be elected; however, in the spirit of the Symposium, the President and Vice-President would be two leading figures of opposite sex. The Rapporteur would be a leading figure from another country, preferably from another part of the world.

The Bureau of the Regional Workshops would be made up of *a person in charge of leading the debates who would act as Rapporteur* as well as two persons, *one woman and one man* to launch and lead the debates.

The Round Table with the media would be composed of one member of the media as moderator, a panel of three or four *politicians*, and three or four *representatives* of the audiovisual and written media, striking a balance between men and women.

Media action in connection with the Symposium

On the occasion of the Symposium, special action would be taken with the audiovisual and written media. For this special action, the services of a media consultant would be engaged.

Documentation

Documentation distributed at the Symposium would include the agenda, programme and time-table, information documents, texts of introductory statements and the list of delegates. Delegates would also be provided with IPU reference documents: the *Plan of Action to Correct Present Imbalances in the Participation of Men and Women in Political Life*, the map showing the number and percentage of men and women in the world's Parliaments, the worldwide statistical survey *Women in Parliament: 1945-1995* and the worldwide comparative survey on women's participation in politics prepared in 1996 on the basis of data gathered through the enquiry launched by the Inter-Parliamentary Council.

Dissemination of the results of the Symposium

An illustrated brochure would be published on the work and results of the Symposium. This brochure would be circulated in English and French. A Spanish and an Arabic version could possibly be produced.

ANNEX XIX

TRIPARTITE MEETING TO FOLLOW UP ON THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT

Recommendations approved by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April)

INTRODUCTION

Right from the outset of the preparations for the World Summit, the IPU provided endorsement and energetic support for this event. Questions of parliamentary contributions to the Summit were regularly reviewed by the Union's governing bodies and the long-standing concern of the organization for issues of social development re-confirmed on every occasion.

The culminating point in this process was the unanimous adoption by the 92nd Inter-Parliamentary Conference (Copenhagen, September 1994) of a resolution entitled "International co-operation and national action to support social and economic development and efforts to combat poverty: Contribution of parliaments to the World Summit for Social Development".

Basing itself on this text and on previous years' resolutions on subjects directly relevant to the social development, the IPU prepared and submitted a written contribution to the Summit. This message was subsequently presented to the Summit by the President of the Inter-Parliamentary Council when he addressed the general debate session of the Summit.

On that occasion, the Union and the Danish Folketing also organized a "Parliamentarians' Day", which was attended by some 200 MPs from over 70 countries. This meeting enabled the participants to receive first-hand information on the main issues and orientations of the Summit and to be briefed on last-minute developments with regard to the preparation of the Summit's Declaration and Plan of Action. It also provided a first opportunity for MPs from around the world to discuss parliamentary strategies for effective follow-up to the results of the Summit.

This discussion was pursued at the 94th Inter-Parliamentary Conference (Bucharest, October 1995), when the IPU unanimously adopted a resolution providing additional general political support for effective follow-up and implementation of the results of the World Summit.

AIMS

The present proposal aims primarily at bringing the process outlined above one step further by giving it an appropriate framework which allows for sustained and concrete follow-up action. In so doing, the IPU would follow the precedent it has set in relation to the UN Conference on Environment and Development. Immediately after that event, the

IPU drew up a plan for follow-up and during subsequent years it examines specific aspects of parliamentary action to implement the results of the Rio Conference, makes recommendations for action and reports thereon to the annual session of the UN Commission on Sustainable Development.

Moreover, the proposal constitutes a first concrete expression of the new and closer co-operation between the UN and the IPU which the UN General Assembly called for in its resolution 50/15 of last year. It would provide an opportunity for representatives of parliaments, governments and inter-governmental organizations to consider and act in a concerted fashion with regard to major issues confronting States today.

The ultimate objective of the meeting is to **draw up a catalogue of concrete steps and action**, possibly classified by priority, **to be taken directly and indirectly by national parliaments and their members** to follow up and implement the result of the Social Development Summit. This catalogue would then be submitted to the IPU Council for endorsement and thereafter **transmitted to all members of the IPU for consideration and implementation**. The Secretary General of the IPU will also be given a mandate to **seek and obtain regular progress reports on steps taken by parliaments and their members to implement the follow-up measures with a view to reporting to the UN Commission on Social Development**.

COMPOSITION

The meeting would bring together representatives from Parliaments, Governments, and concerned Inter-Governmental Organizations.

Parliaments would be represented by **MPs from all regions of the world delegated by the IPU**. The Executive Committee carefully considered this question at its meeting in Istanbul and has nominated the following members and alternates:

Members
Ms. Ingrid Andersson (Sweden)
Mr. Manichankar Ayer (India)
Mr. Nelson Chitty La Roche (Venezuela)
Mr. Fouad Mbazza (Tunisia)
Mr. Boyana Godana (Kenya)

Alternates
Mr. Antonio Hernan Gonzales (Argentina)
Mrs. Yusria Luza (Egypt)

A **comparable number of Ambassadors Permanent Representatives to the United Nations** in New York would represent the governmental side.

The inter-governmental organizations would be represented by senior officials from the **UN** proper (through its Department for Policy Co-ordination and Sustainable Development), **UNDP, UNICEF, UNFPA, The World Bank**, and possibly others.

Other concerned organizations such as ILO and UNESCO which do not have their Headquarters in New York would be invited to prepare a written contribution to the meeting.

MATERIAL ORGANIZATION

The meeting would be organized jointly by the IPU, the United Nations Department for Policy Coordination and Sustainable Development and the UNDP. It would be financed through external resources and would take place at **United Nations Headquarters** in New York during the **week after Labour Day** (Tuesday 3 - Friday 6 September 1996); it would **last two days**.

ANNEX XX

FUTURE MEETINGS AND OTHER ACTIVITIES

Joint Conference by the Inter-Parliamentary Union and UNESCO on "Education, Science, Culture and Communications on the Eve of the 21st Century"	PARIS (France) UNESCO Headquarters 3 - 6 June 1996
Meeting of the Working Group of the Executive Committee	GENEVA (IPU Headquarters) 26 and 27 July 1996
74th session of the Committee on the Human Rights of Parliamentarians (*in camera*)	GENEVA (IPU Headquarters) July 1996
Extraordinary meeting of the CSCM Co-ordinating Committee	GENEVA (IPU Headquarters) July/August 1996
Workshop of parliamentarians and parliamentary scholars, organized by the International Political Science Association with the sponsorship of the IPU	OXFORD (United Kingdom) 3 - 4 August 1996
96th Inter-Parliamentary Conference	BEIJING (China) 16 - 21 September 1996
- Inter-Parliamentary Council (159th session)	16 and 21 September
- Executive Committee (223rd session)	13, 14 and 19 September
- Meeting of Women Parliamentarians	15 September
- Meeting of the Representatives to the CSCM	18 September
- Committee on the Human Rights of Parliamentarians (75th session) (*in camera*)	15 - 20 September
- Committee on Middle East Questions	18 September
- Committee on the Situation in Cyprus	17 and 19 September
International Forum "Parliamentarians and Local Authorities: Tourism policy-makers" organized by the World Tourism Organization, with the support of IPU	BALI (Indonesia) 25-28 September 1996
Tripartite meeting on follow-up to the World Summit for Social Development	NEW YORK (UN Headquarters) September 1996

Meeting of MPs attending the 51st session of the UN General Assembly	NEW YORK (UN Headquarters) October 1996
Preparatory Committee of the Inter-Parliamentary Symposium on "Towards Partnership Between Men and Women in Politics"	GENEVA (IPU Headquarters) 4-5 November 1996
Information Seminar (French language) on the Structure and Functioning of the Union	GENEVA (IPU Headquarters) November 1996
"Parliamentarians Day" on the occasion of the World Food Summit	ROME (Italy) November 1996
Central Asia and Kazakstan Inter-Parliamentary Workshop on the Implementation of the United Nations Convention on the Rights of the Child, organized by UNICEF, with the sponsorship of the IPU	ASHGABAT (Turkmenistan) Late 1996/Early 1997
76th session of the Committee on the Human Rights of Parliamentarians (*in camera*)	GENEVA (IPU Headquarters) January 1997
Inter-Parliamentary Symposium on "Towards Partnership Between Men and Women in Politics"	NEW DELHI (India) 10 - 14 February 1997
"2nd International Days on Bioethics", organized by the Cameroonian Bioethics Society, with the sponsorship of IPU	YAOUNDE (Cameroon) 24 - 28 February 1997
97th Inter-Parliamentary Conference	SEOUL (Republic of Korea) April 1997
98th Inter-Parliamentary Conference	CAIRO (Egypt) September 1997

The Council has taken note with gratitude of the following invitations:

99th Inter-Parliamentary Conference	Windhoek, Namibia, April 1998
104th Inter-Parliamentary Conference	Jakarta, Indonesia, October 2000

ANNEX XXI

AGENDA OF THE 96th INTER-PARLIAMENTARY CONFERENCE

(Beijing, 16-21 September 1996)

1. Election of the President and Vice-Presidents of the 96th Conference

2. Consideration of possible requests for the inclusion of a supplementary item in the Conference agenda

3. General Debate on the political, economic and social situation in the world

4. Promoting greater respect and protection of human rights in general and in particular for women and children

5. Policies and strategies to ensure the right to food in this time of globalization of the economy and trade liberalization

ANNEX XXII

LIST OF INTERNATIONAL ORGANIZATIONS AND OTHER BODIES INVITED TO FOLLOW THE WORK OF THE 96th CONFERENCE AS OBSERVERS

Palestine

United Nations
International Labour Organisation (ILO)
Food and Agriculture Organization of the United Nations (FAO)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
World Health Organization (WHO)
World Bank
International Monetary Fund (IMF)
International Fund for Agricultural Development (IFAD)
United Nations Conference on Trade and Development (UNCTAD)
World Trade Organization (WTO-OMC)

Council of Europe
International Organization for Migration (IOM)
Latin American Economic System (LAES)
League of Arab States
Organization of African Unity (OAU)
Organization of American States (OAS)

Amazonian Parliament
Arab Inter-Parliamentary Union
ASEAN Inter-Parliamentary Organization (AIPO)
Asian and Pacific Parliamentarians' Union
Assembly of the Western European Union (WEU)
Association of European Parliamentarians for (Southern) Africa (AWEPA)
Baltic Assembly
Central American Parliament
Commonwealth Parliamentary Association (CPA)
Consultative Council of the Arab Maghreb Union
European Parliament
International Assembly of French-Speaking Parliamentarians
Inter-Parliamentary Assembly of the Commonwealth of Independent States
Inter-Parliamentary Council against Antisemitism
Nordic Council
Parliamentary Assembly for Black Sea Economic Co-operation
Parliamentary Assembly of the OSCE
Parliamentary Association for Euro-Arab Co-operation (PAEAC)
Union of African Parliaments (UAP)

Amnesty International
International Committee of the Red Cross (ICRC)
International Federation of Red Cross and Red Crescent Societies
World Federation of United Nations Associations (WFUNA)

ANNEX XXIII

REPORT OF THE COMMITTEE TO MONITOR THE SITUATION IN CYPRUS

*Adopted by the Inter-Parliamentary Council at its 158th session**
(Istanbul, 20 April 1996)

(...)

II. PRELIMINARY EVALUATION OF THE COMMITTEE'S ACTIVITY SINCE ITS INCEPTION

1. Preliminary evaluation of the Committee's activity since its first session, in October 1991

7. The Committee was set up for the purpose of monitoring the situation in Cyprus and to act in support of the good offices mission of the United Nations Secretary-General.

8. Having looked closely at its activity over ten sessions and two on-site missions, and consulted the parties concerned on the subject, the Committee is able to state the following:

- The very existence and permanence of the Committee reflects the interest taken by the international parliamentary community in the settlement of the Cyprus problem and the active support of that community for the good offices mission of the United Nations Secretary-General.

- Over and above this political message, the Committee has been an effective instrument in at least three respects:

  (i) By inviting the representatives of the two Communities to provide it with their points of view at each of its two annual sessions, the Committee has afforded them an opportunity of coming together and engaging in dialogue. Today, owing to the Committee's existence, the Inter-Parliamentary Union is the only international forum offering such an opportunity. It is also the only forum in which the Turkish Cypriot Community can put over its points of view to the international community.

  (ii) The Committee has likewise instituted a mechanism whereby the representatives of the three Guarantor Powers established by the 1960 Treaty of Guarantee are heard jointly on the Cyprus question and their points of view are taken into account. The Inter-Parliamentary Union is, in this respect, also unique.

  (iii) The Committee has played a key part in promoting inter-communal contacts at the level of the leaders of all the political parties of the two Communities. It

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* The delegation of the Republic of Cyprus expressed its opposition to the report.

has managed to organize two sessions of contacts in which those concerned were able to engage in direct dialogue on key issues for the future of Cyprus, and on practical questions affecting the everyday life of the two Communities, with the achievement of particular practical agreements. Such contacts are now being carried on fairly regularly in Cyprus, which is a matter of satisfaction for the Committee, for the reasons set out below.

- The Committee has endeavoured to act fairly and transparently, which seems to have been appreciated by its interlocutors and has opened up scope for dialogue in trust.

9. ***The Committee concludes*** that its work has thus made a useful contribution to the quest for a negotiated settlement of the Cyprus question and deserves to be continued. The Committee aims more particularly:

- To continue to support through its activities the good offices mission of the UN Secretary-General with a view to the settlement of the Cyprus problem;

- To facilitate, given that it is in a position to hear the representatives of the two Communities, the taking into consideration of the interests of the Turkish-Cypriot Community in preparation for negotiations for the accession of Cyprus to the European Union;

- To continue to encourage regular meetings between the leaders of the political parties of the two Communities;

- To continue to advocate the lifting of the remaining obstacles and constraints with regard to contacts on both sides of the buffer zone and meetings between the members of civil society of the two Communities;

2. Next session of the Committee

10. The Committee intends to meet again on the occasion of the Beijing Inter-Parliamentary Meetings, from 17 to 19 September 1996. At that session, the Committee wishes (i) once more to study written information on changes in the situation in Cyprus presented by the representatives of the two Communities and by the representatives of the Guarantor Powers, and on the good offices mission of the United Nations Secretary-General as well as on developments regarding Cyprus's accession to the European Union; (ii) once more to hear the representatives of the two Communities, and (iii) also to hear again the representatives of the Guarantor Powers. It thus intends to evaluate the progress made since the Istanbul session and to provide the Inter-Parliamentary Council with its views and recommendations on the subject.

III. OVERALL EVALUATION OF DEVELOPMENTS REGARDING CYPRUS SINCE OCTOBER 1995: VIEWS AND RECOMMENDATIONS OF THE COMMITTEE

11. The Committee has noted with great interest the documentary material brought to its notice. It considers that the hearings of representatives of the two Cypriot Communities, on the one hand, and the hearing of representatives of the Guarantor Powers, on the other, together with its talks with the Minister of Foreign Affairs of Turkey, Mr. E. Gönensay, have enabled it to acquire a more direct vision of the situation concerning Cyprus in the present circumstances, and to take stock of the key aspects of the Cyprus question and the prospects of a settlement. ***It wishes to express its gratitude to each of its interlocutors*** for

their co-operation and for the extent of the exchanges in which they were kind enough to engage. It particularly welcomes the opportunity afforded it of conversing, for the first time, with a member of the Turkish Government on the Cyprus question, and ***invites the Inter-Parliamentary Council*** to record its great appreciation of the receptiveness displayed in this respect by the Turkish Government.

1. Dangers of the lack of progress towards a negotiated settlement

12. The Committee is once again obliged to note that it is quite apparent from all the information at its disposal that, in the past six months, the situation concerning Cyprus has moved no closer to a negotiated settlement. No overall progress has been made towards a genuine agreement of the parties on a number of basic issues dealt with in detail in the "Set of Ideas" of the United Nations Secretary-General and on the implementation in good faith of confidence-building measures negotiated in the framework of his good offices mission.

13. Despite the pressing requests addressed to them by the Security Council and the intense activity conducted by the United Nations Secretary-General, the leaders of the two Communities have still not resumed their talks, which have been suspended since October 1994, thus leaving the way open to hazards.

14. The Committee once more draws the attention of the parties to what it mentioned in its previous report (CL/157/11(e)-R.1) regarding the prolonged *status quo* in Cyprus. It regrets that the appeals made by the Security Council and the Inter-Parliamentary Council in this connection have not been heeded, and ***it invites the Inter-Parliamentary Council*** to make a new and pressing appeal to the parties for progress towards a settlement in accordance with the resolutions of the United Nations, which remain the frame of reference for a fair and lasting solution to the Cyprus problem.

15. The Committee's interlocutors have affirmed that, despite their reservations about some aspects of the document, the "Set of Ideas" of the United Nations Secretary-General remains the framework for an overall settlement of the Cyprus problem. In taking note of that, it nevertheless has to observe that there has been no progress regarding the "Set of Ideas" for several months. Likewise, no confidence-building measure, such as the reopening of the Varosha zone and of Nicosia International Airport, both of which steps had been proposed by the United Nations Secretary-General to facilitate a settlement of the Cyprus problem, has been applied. ***The Committee proposes to the Inter-Parliamentary Council*** that it invite the parties to do everything in their power to progress in their negotiations on such confidence-building measures.

16. The Committee notes that each of the parties blames the other for this situation and points to its lack of political will; the appeals to negotiate in good faith are heard by each of the parties as being primarily addressed to the other. ***It proposes that the Inter-Parliamentary Council*** invite them once more to ensure that no tactical consideration impedes their discussions on such fundamental issues as definition of the concept of federation, constitutional questions, territorial questions and safeguards, or the question of Cyprus' membership in the European Union.

17. The Committee particularly deplores this standstill since, instead of declining, tension concerning Cyprus has been growing between the political leaders of the parties concerned, fuelling the anxiety of the population of the Island, for whom the outbreak of a direct conflict would be a veritable disaster. In such a context, it fears that a prolonged lack of inter-personal contacts between members of the general public of the two Communities, by

favouring a somewhat abstract and rigid vision of the other party, might serve to heighten rather than allay such tension.

2. Tension in the Aegean and its consequences for Cyprus

18. For the Committee, there is no doubt that the growing tension noted in recent months between Greece and Turkey, coupled with a significantly increased military potential on the Island of Cyprus and in this part of the Mediterranean, greatly contributes to this climate of insecurity and seriously threatens peace and security on the Island and in the region. It wishes once more to emphasize how urgent it is to do everything possible to clear up this trouble spot in the heart of the Mediterranean, a region of the world already sorely tried by war.

19. The Turkish Minister of Foreign Affairs made a point of reaffirming that the Cyprus problem was not a bilateral problem between his country and Greece. He did accept, however, that should tension with Greece diminish in the Aegean, Turkey would be willing to consider direct dialogue with Greece about Cyprus if that would help in bringing the two Communities together. He stated that a settlement of the Cyprus problem was a crucial matter for Turkey.

3. The growing number of initiatives concerning Cyprus

20. At the same time, and with the United Nations Secretary-General actively pursuing his good offices mission, there has been a rise in the number of political initiatives for a settlement of the Cyprus problem, especially from the US and within the EU's context.

21. These many actors may, particularly if they give support to the mission of the UN Secretary-General and work in close co-operation with him, contribute to opening up new prospects for a settlement of the Cyprus problem.

4. Inter-communal negotiations and contacts at the political level

22. The Committee nevertheless continues to think that direct negotiations between the leaders of the two Communities, under United Nations auspices, are one of the best guarantees for the long-term interests, both common and distinctive, of the two Communities, and it considers that their resumption is necessary and urgent. It notes that the United Nations Secretary-General considers that practically all of the elements required for a just and lasting settlement now exist (doc. A/50/1, para. 654). ***The Committee invites the Inter-Parliamentary Council*** to appeal to the two leaders to manifest their political will to resume in good faith the direct negotiations. In this respect, the Committee is encouraged by the statements made by the Turkish party that Mr. Denktash is prepared to resume the dialogue at the end of May 1996, and it hopes that the President of the Republic of Cyprus will join him at the negotiating table.

23. The Committee likewise remains convinced that meetings between the leaders of the political parties of the two Communities are still one of the most important and appropriate political instruments for deliberating on the various aspects and conditions for a fair and lasting settlement of the Cyprus problem meeting the wishes of the Island's population. The Committee can therefore only welcome the fact that the meetings between the leaders of the political parties of the two Communities, which the Inter-Parliamentary Union had promoted and facilitated at the outset, are continuing on a fairly regular basis at Ledra Palace, in the buffer zone placed under United Nations control.

24. The direct meetings between the leaders of the entities that channel the views and aspirations of the populations of both Communities offer scope for dialogue marked not only by the political legitimacy and representativeness of the actors, but also by a degree of flexibility. While the leaders of the two Communities have been refraining for long months from sitting down together at the negotiating table, these meetings at present provide the only inter-communal occasion for political dialogue. They also provide the only existing occasion for direct political dialogue between the two Communities, in Cyprus itself. The Committee therefore hopes that they will serve to encourage a resumption of dialogue between the two leaders, and that they may be increasingly used in exploring and pre-negotiating ideas and measures likely to facilitate a settlement.

25. ***The Committee invites the Inter-Parliamentary Council*** once more to encourage the leaders of the political parties to continue taking part in those sessions in the most constructive spirit, seeking to bring their points of view closer together on the basic topics and further seeking gradually to develop clear and precise agreements on limited confidence-building measures whose effective implementation could be evaluated from session to session.

26. ***It further proposes to the Inter-Parliamentary Council*** that it once more encourage the political parties to develop the practice of bilateral or multilateral meetings, on either side of the buffer zone and as frequently as possible.

5. The question of Cyprus' membership in the European Union

27. The Committee recalls that the European Union decided to initiate, six months after the conclusion of the Intergovernmental Conference, negotiations with a view to membership of the Republic of Cyprus. It notes that while the Turkish Cypriot party is in favour of Cyprus' joining the European Union, it is unanimously opposed to such a step prior to an overall settlement of the Cyprus question and to Turkey's accession to the European Union; it affirms that membership of the Republic of Cyprus in the European Union in such conditions would be contrary to the Zurich Treaty and London Agreement and would result in the Island's permanent partitioning. It expresses the fear that the the Greek Cypriot party may pursue EU membership at the expense of the negotiating process and only see such membership as a replacement solution. The Turkish Minister of Foreign Affairs stated that his Government wanted to see movement towards membership for Cyprus along with Turkey's move for membership.

28. ***The Committee proposes that the Inter-Parliamentary Council*** address its encouragements to the European Union in its efforts to conduct the negotiations with a view to the accession of the Republic of Cyprus, seeking to narrow the gap between the points of view of the two Communities, one of which is at a *de facto* disadvantage where participation in the negotiating process is concerned, and trying to take into account and respect both their common interests and their distinctive interests. ***It recommends to the Council*** that it encourage the European Union in its efforts to stage these negotiations with an eye to a fair and lasting settlement of the Cyprus problem, and that it express the hope that they will have the effect of facilitating such a settlement prior to or simultaneously with the conclusion of the membership agreement.

6. The presence of foreign troops in Cyprus and the level of military spending in Cyprus

29. The Turkish Cypriot party continues to affirm that the Turkish Army only intervened in Cyprus in accordance with the 1960 Treaty of Guarantee, to protect the Turkish Cypriot Community from extermination, that the presence of Turkish troops in the north of the Island has kept Cyprus free from armed conflict for 21 years and that it is still essential in order to guarantee the security of the Turkish Cypriot community.

30. The Committee reiterates that a gradual withdrawal of Turkish troops stationed in the north of the Island remains one of the major keys to a settlement of the Cyprus question. It must nevertheless be noted that, contrary to the repeated demands of the Security Council and the wish expressed by the Inter-Parliamentary Council, those troops, far from being reduced, have been swollen following the crisis that broke out in the Aegean in December 1995 between Greece and Turkey. ***It invites the Inter-Parliamentary Council*** to express its grave concern in this connection and to renew its call for a gradual withdrawal of Turkish troops from the north of the island.

31. The Turkish Minister of Foreign Affairs stated that, unless the fundamental problems were addressed, the withdrawal of Turkish forces would not achieve anything, and ruled out such withdrawal. He affirmed that the Turkish forces in Cyprus acted as a deterrent. He also stated that, unless there was a balance of forces, the situation could become volatile, and acknowledged that the current balance of forces was slightly in favour of the north of the island.

32. In accordance with the Security Council's demand, the Inter-Parliamentary Council had also called for a marked, simultaneous reduction of foreign troop numbers and of military spending in the Republic of Cyprus, observing that such a step would open up a space of confidence and dialogue for settlement of the Cyprus problem and encouraging the allocation of resources thus released to sustainable development objectives. Much to its concern, it is compelled to note that, particularly as a result of the Aegean crisis, the arms spending of the Republic of Cyprus has greatly increased in the past six months, making the island one of the most heavily armed points of the globe. It considers that the demilitarization offer put forward by Mr. Clerides, which it welcomes, would stand a better chance if a reverse process were set in motion. ***It recommends that the Inter-Parliamentary Council*** urge the parties to consider, within the context of demilitarization, turning part of the forces into a constabulary responsible for ensuring protection of the population.

33. The Committee notes finally, with regret and concern, that various violent incidents have occurred in the past six months along the cease-fire lines. ***It invites the Inter-Parliamentary Council*** to appeal to the political and religious leaders of both Communities to call for calm among the population.

7. The questions of missing persons

34. The Committee recalls that a tripartite Committee of Missing Persons, whose work it had described in the report of its first mission to Cyprus, had been in operation since 1984 under UN sponsorship. The Greek Cypriot party was calling for light to be shed on the fate of 1,619 persons, but in 1995, it had only lodged appropriate complaints for 210 cases, while the Turkish Cypriot party was calling for light to be shed on the fate of 803 persons but had only lodged appropriate complaints for 318 cases. The Greek Cypriot party affirms that the Turkish Army is responsible for 1,619 disappearances of Greek Cypriots, while the Turkish Cypriot party states that most of those persons were in fact killed by the Greeks themselves

during the 15 July 1974 coup d'Etat or during the events which followed. The latter affirms that the Greek Cypriot party has exploited the humanitarian issue for propaganda purposes.

35. At the end of 1995, the United Nations decided to impose a deadline for the submission of complaints: it was extended three times, first until 25 October, then to 15 November and finally to 24 November 1995. The Committee was told that Mr. Clerides in the end announced that the Greek Cypriot party would not submit the cases which had yet to be presented and disclosed that it had been known for years that hundreds of people whose names were on the list of persons missing since 1974 had been killed in combat. It was also told that, for his part, on 1 March 1996, Mr. Dentash stated in a television interview that the missing persons had been handed over to Turkish Cypriot paramilitary forces and executed on account of old grievances. Both statements unleashed strong feelings. Finally, the Permanent Representative of the Secretary-General in Cyprus, Mr. G. Feissel, stated publicly on 5 March 1996 that there was no evidence proving that any of the missing persons were still alive. ***The Committee invites the Inter-Parliamentary Council*** to urge all those concerned to co-operate fully with the Committee on Missing Persons so that these very painful matters can be explained and acknowledged, and cease to be an impediment to negotiations for the settlement of the Cyprus problem.

8. Demographic changes in the north of the island

36. The Committee continues to receive alarming allegations of demographic changes in the north of the island and also about the properties of Greek Cypriots in the north being illegally attributed to the Turkish settlers. Some members of the Turkish Cypriot delegation alleged once again that the presence of settlers from Anatolia had in no way affected the demographic balance in the north of the Island and had only offset the departure of an equivalent number of Turkish Cypriots which was owed to the economic difficult situation created by the embargo. These same representatives stressed that there were thousands of foreigners living in the south of the Island. ***The Committee invites the Inter-Parliamentary Council*** to reiterate its positions on this question.

9. Situation of the enclaved populations

37. The Committee notes with concern the description of the living conditions of the Greek Cypriots and the Maronites who live in the northern part of the Island, which may be found in the report of the United Nations Secretary-General (doc. E/CN.4/1996/54). According to this report (para. 14), the two Communities are subject to very stringent restrictions limiting the exercise of their fundamental freedoms in many respects and inevitably condemning them to disappear, over the long run, from the north of the Island. ***The Committee recommends that the Inter-Parliamentary Council*** appeal to the Turkish Cypriot leader to follow up, as expeditiously as possible, the recommendations in this report.

10. The Turkish Cypriots on the territory of the Greek Cypriots

38. The United Nations Secretary-General notes in his report E/CN.4/1996/54 that the Turkish Cypriots in the southern part of the Island are not subjected to a restrictive régime and that in the eyes of the law they have the same rights as other citizens, including freedom of movement and the right to buy and sell real estate; however, they are often victims of an upsurge of discrimination or harassment by the police and thus do not lead a completely normal life. The Committee received some particularly worrying information concerning the case of a Turkish Cypriot civilian from the Louroujina sector. ***The Committee recommends that the Inter-Parliamentary Council*** urge the Cypriot Government to ensure rigorously that

the Turkish Cypriots in the territory under its control enjoy full security and are not exposed to violations of their human rights.

11. Inter-communal contacts at the level of civil society

39. The Committee notes again that contacts between the two Communities are still rare and sporadic and are subject to authorization which is allegedly refused as a rule by the Turkish Cypriot party. It goes without saying, however, that frequent meetings between the different actors of civil society would enable contacts to be gradually developed which would encourage mutual respect and understanding and would be a useful contribution to the process of seeking a just and lasting solution to the Cyprus problem. Freedom of movement should gradually be authorized for all inhabitants of the Island. ***The Committee invites the Inter-Parliamentary Council*** to launch a further appeal in this respect.

12. Call to restore telephone links

40. ***The Committee also proposes that the Inter-Parliamentary Council*** reiterate its recommendations concerning the restoration of telephone links across the buffer zone.

13. Transmission of information

41. ***The Committee proposes that the Inter-Parliamentary Council:***

(i) Request the Secretary General of the Inter-Parliamentary Union to bring this report and the Council's decisions to the attention of the Secretary-General of the United Nations;

(ii) Request the Secretary General of the Inter-Parliamentary Union to continue to keep the Committee members regularly informed, between now and their next session, of progress in the good offices mission of the Secretary-General of the United Nations.

ANNEX XXIV

REPORT OF THE COMMITTEE ON MIDDLE EAST QUESTIONS

Approved by the Inter-Parliamentary Council at its 158th session
(Istanbul, 20 April 1996)

Preliminary views of the Committee

The members of the Committee had before them a communication from the President of the Inter-Parliamentary Council concerning the decisions reached by the "Peace-Makers Summit" which had taken place in Sharm El-Sheikh (Egypt) in March 1996. They also had a letter of 28 March 1996 addressed to the President of the Inter-Parliamentary Council by the Speaker of the Palestinian Legislative Council, dealing with the establishment of that Council and with the situation in Palestine.

They found both documents interesting and informative; they praised the holding of the Sharm El-Sheikh Summit and paid tribute to King Hussein of Jordan and President Moubarak of Egypt for their continuing and untiring efforts to fight terrorism and bring about peace and stability in the Middle East.

The President invited the representatives of the Arab countries and those of Israel, who appeared separately before the Committee, to state their views as to whether progress in the peace process in the Middle East had been achieved since the Committee last met in Bucharest in October 1995 and, if not, what were the obstacles encountered.

Views of the representatives of the Arab countries and those of Israel

The representative of the Palestine National Council who had followed the work of the Committee since its establishment in 1987 stated for the record that he believed that the Committee had contributed to the peace process and that it should continue its work until peace is definitely achieved.

He cited, as positive developments, the withdrawal of Israeli troops from occupied territories and the recent elections in Palestine which had been witnessed by over 1,000 foreign observers and considered to have been held under excellent conditions. While he deplored the brutal assassination of Prime Minister Rabin and the suicide attacks which took place in Israel, he considered that a number of repressive Israeli measures against the people of Gaza and the West Bank were irreconcilable with the peace process and could not but be helpful to extremists. He hoped that the decisions adopted by the IPU bodies would counter the actions of those who would sabotage the peace process, so that extremists would not be rewarded and innocent people would not be made to suffer.

The two recently elected members of the Palestinian Legislative Council - from Gaza and Jerusalem areas - stressed that over 80 per cent of the people of Palestine participated in free and fair elections. Thus, they were establishing a democratic society devoted to peace and aspiring to becoming a nation with full rights. They looked forward to the implementation of the second phase of the peace process, dealing with Jerusalem, refugees and sovereignty.

They expressed particular disappointment about recent Israeli actions, as a feeling of essential partnership should have been growing between Palestine and Israel in carrying out the peace process. Both parties had high expectations, Israel of security and Palestine of prosperity. Palestinians were disappointed and frustrated, therefore, by Israel's over-reacting which, among other consequences, could discredit the recently elected Palestinian parliamentarians who were committed to co-operating with Israel in the peace process.

The representative of Jordan emphasized that whatever happened in the West Bank area affected Jordan, and that unless the Palestinian issue was settled, there would be no lasting peace in the Middle East. He wondered whether recent Israeli actions were as related to the country's security as they were to the forthcoming election in that country. He also felt that institution-building in Palestine was in fact proceeding better than usually believed, but that recent events had contributed to slowing down the Palestinian economy as Israel was holding it hostage by preventing its people from working in Israel and by controlling its trade and its utilities (energy and water).

For his part, the Israeli representative, while pleased to be able to appear before the Committee, felt compelled to report that there had been numerous obstacles on the road to peace in the last few months. Those, he said, were the acts of terrorism against the Israeli people carried out by the Hamas and Hezbollah groups for which Syria - which was absent from the Sharm El-Sheikh Peace-Makers Summit - and Iran were largely responsible.

He mentioned in particular the shelling of villages in the northern part of his country. While agreeing that some could consider that Israeli's reaction in response to acts directed against his country was excessive, the representative of Israel believed that it was understandable as the first duty of any democratic government was to ensure the security of its people.

Referring to the forthcoming elections in his country, the representative of Israel assured the Committee that whatever political party prevailed, the government would pursue the peace process which had started, as there was no alternative to peace and stability in the Middle East. In that connection, he mentioned Israel's efforts in providing and securing from various sources assistance for the development of Palestine, which would contribute to the well-being of its people and therefore to security in the region.

Findings of the Committee

The members of the Committee strongly deplored the recent exchange of violence across the Israel/Lebanon border, and, in particular the attack against civilians in South Lebanon, as well as the assassination of Prime Minister Rabin and the suicide attacks in Israel. They felt, however, that fundamentally and despite appearances and the recent deplorable acts of violence, there was a measure of progress in the peace process in the

Middle East. The recent successful elections in Palestine resulting in the existence of democratically elected parliamentarians and of developing economic and social institutions were hopeful signs and gave Palestine a new legitimacy.

They understood Israel's concern for the security of its people but felt that it was overreacting, thus not only causing harm to innocent people but also leading to poverty and misery that bred extremism. The vicious circle thus created inevitably slowed down the peace process by creating conditions which opposed it.

Though comforted by the Israeli representative's assurances that whatever the results of the elections soon to be held in his country, its government would be committed to pursuing the peace process. Committee members felt strongly that a way had to be found to halt the present cycle of violence. They were also comforted by expressions of partnership between Palestine and Israel on the road to peace and felt that, had practical considerations not prevented it, the representatives of Israel, Egypt, Jordan and Palestine might well have met together with the Committee at its present sitting.

The Committee very much regretted that once again, the delegations of Syria and Lebanon had declined to meet with it so as to put forward their views and learn those of the members of the Committee.

In conclusion, the Committee appealed for an end to extremism, terrorism and violence in the Middle East, whatever their source. It also called for support to Palestine in its development efforts, and to that effect, that all possible barriers should be lifted. It called on all neighbouring States to join Egypt and Jordan in pursuing the peace process and stressed that there was an urgent need to continue implementing the peace agreements between Palestine and Israel, relaunch negotiations between Israel, Syria and Lebanon and put an immediate halt to military action on the Lebanese border.

The Committee thanked all those who appeared before it and stated that it always stood ready to play a role in that process.

ANNEX XXV

Case N° AL/01 - FATOS NANO - ALBANIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), concerning the case of Mr. Fatos Nano, of Albania,

Taking into consideration the communications from the Speaker of the People's Assembly of Albania, dated 17 January and 16 March 1996,

Also taking into consideration the observations and information supplied by the leader of the Albanian delegation to the 95th Inter-Parliamentary Conference (Istanbul, April 1996),

Further taking into consideration the information provided by the source on 19 January and 12 April 1996, and at the hearing held on the occasion of the 95th Inter-Parliamentary Conference,

Recalling that, in connection with emergency aid delivered by Italy to Albania in 1991, Mr. Nano was sentenced on 3 April 1994 to 10 years' imprisonment for embezzlement of State funds in favour of a third person, Mr. Giuseppe Perniola, and to 3 years' imprisonment for falsification of documents, resulting in a final prison term of 12 years pursuant to concurrent custody rules; recalling that Mr. Perniola was later found innocent by an Italian court, leading the Committee and the Council to consider that Mr. Nano's conviction for embezzlement of State funds could no longer reasonably be maintained and that his trial should be reviewed,

Recalling that on 1 June 1995, a new penal law entered into force in Albania which provides for a re-evaluation of sentences if a person is (a) convicted of two or more criminal offences; (b) convicted of an offence no longer punishable under the new Code; or (c) given a lower sentence,

Recalling that Mr. Nano by virtue of this provision submitted a request for a re-evaluation of his sentence; recalling further that while the request was rejected by Tepelena District Court it was subsequently accepted by the Appeal Court, which reduced his sentence by one year,

Considering that on 27 November 1995 the Cassation Court overruled the Court of Appeal's decision to reduce Mr. Nano's sentence by one year,

Considering the affirmation of the source that the decision of the Cassation Court is unlawful for the following reasons:

(i) One of the members of the jury hearing the case was Mr. Agim Gjoleka, who had also been a member of the jury which decided on 28 July 1994 in last instance on Mr. Nano's case; this is contrary to Article 15 of the Code of Criminal Procedure, which stipulates that a judge who, alone or as a member of a jury, delivers a judgment shall be excluded from hearing the case at a higher instance or from review of the case in the event of a judgment being quashed;

(ii) The Court argues that the new Criminal Code does not provide for lighter sentences for the crimes of which Mr. Nano was found guilty. According to the source, this is quite untrue since under the new Code, the crime of embezzlement of public funds (Article 135) carries a maximum sentence of 10 years' imprisonment instead of 7 to 25 years' imprisonment under the former Code (Article 62) and the crime of falsification of official documents carries a maximum sentence of 7 years' imprisonment (Article 186) instead of 8 years under the former provisions (Article 110),

Considering that it transpires from the note prepared by the Cassation Court and conveyed by the Speaker of the People's Assembly on 16 March 1996 that the Court, in re-evaluating the sentence, did not compare the maximum prison terms specified in the relevant provisions but compared the prison terms handed down on Mr. Nano with the maximum term stipulated for the relevant offences in the new penal code and thus arrived at the conclusion that his prison term could not be reduced,

Considering that, in the note the Ministry of Justice prepared in response to the allegation of the source regarding the participation of Mr. Gjoleka in the Cassation Court jury, it is affirmed that Mr. Gjoleka - having served since 1992 at the Cassation Court exclusively - has never taken part in a jury hearing Fatos Nano's case at the Appeal Court; noting, however, that the source referred not to Mr. Gjoleka's participation in the Appeal Court but to his participation in the Cassation Court jury which, on 28 July 1995, adopted the final verdict in the case of Mr. Nano,

Considering that, according to the source, Mr. Nano's lawyer, despite the many demands from himself and Mr. Nano to the General Directorate of Prisons and the Minister of Justice, has been unable to see Mr. Nano since October 1995, the pretext being *"that they are on alert or that the prison is being restructured"*,

Considering that in the note prepared on that point by the Ministry of Justice and conveyed by the Speaker, the following explanation was offered: *"the prison was being restructured, therefore with the exception of appointments with family members, other appointments were suspended according to Rules. As of 2 March 1996, after reconstruction work, lawyers can meet the client as many times as they wish after having applied in writing to the General Directorate of Prisons, according to the Rules."*,

Recalling in that connection that full assurances had been given to the Committee's on-site mission in December 1994 that Mr. Nano would fully enjoy his right under national law to receive visits from his lawyers,

Recalling that Mr. Nano has to date not submitted a request for a review of his trial under Article 450 of the new Code of Penal Procedure; that, according to his lawyer, he will only submit it when assured of a fair trial and the possibility of re-trial as a free man,

Considering that Article 454 of the Code of Criminal Procedure stipulates that the competent district courts decide on requests for suspension of the execution of prison terms,

Considering that on 30 December 1995 the President of the Republic, at the request of the Socialist Party, granted a pardon to Mr. Nano, reducing his sentence by 8 months,

Considering that Mr. Nano's lawyer personally wrote to President Berisha on 7 October 1995 setting out the many irregularities and manipulations in Mr. Nano's case; that to date, however, the President has not replied,

1. Thanks the Speaker of the People's Assembly for the information he provided and for his co-operation;

2. Is outraged that Mr. Nano, contrary to the law and the affirmations given to the IPU delegation on the occasion of its mission to Albania, is still not permitted regular contacts with his lawyer, and urges the authorities to comply with their commitments in this respect under national law;

3. Notes that Articles 135 (embezzlement of public funds) and 186 (falsification of official documents) do indeed provide for lighter sentences than the relevant articles in the old penal provisions; and fails to follow the reasoning of the Court;

4. Hardly understands how the Ministry of Justice could be unaware of Mr. Gjoleka's participation in the Cassation Court jury which, on 28 July 1994, delivered the final verdict in the case of Mr. Nano (Decision N° 121);

5. Cannot but consider that, under national norms, the Cassation Court decision on the re-evaluation of Mr. Nano's prison term is legally flawed;

6. Remains deeply alarmed at the sequence of measures that have the effect of keeping Mr. Nano in prison, and fears that Mr. Nano's prosecution may be based solely on political considerations, overlooking national and international norms of fair trial;

7. Notes that Mr. Nano has not yet submitted a request for a review of his trial as is his right under Articles 449 and 450 of the new Code of Penal Procedure, and urges him to make use of that right;

ANNEX XXV

8. Believes that the presence of international observers at such a retrial would be of assistance in guaranteeing a fair trial;

9. Hopes that, in the course of a review, Mr. Nano will be released pending trial;

10. Requests the Secretary General to convey these considerations to the Albanian authorities;

11. Hopes that the authorities will take heed in the most positive spirit of the above considerations;

12. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXVI

Case N° BG/01 - ANDREI LUKANOV - BULGARIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session, concerning the case of Mr. Andrei Lukanov, of Bulgaria,

Taking into account the communication from the President of the Bulgarian National Group, dated 10 April, and the information he provided at a meeting with a Committee member on the occasion of the 95th Inter-Parliamentary Conference in Istanbul,

Recalling that Mr. Andrei Lukanov, a member of Parliament, Deputy Prime Minister in the Government of Mr. Atanassov from March 1986 to November 1990, was deprived of his passport by administrative decision on 9 March 1992; that he was arrested on 9 July 1992 - subsequent to the lifting of his parliamentary immunity - under charges of misappropriation and wastage of State funds for having granted aids and credits to developing countries,

Recalling that he was released on bail on 30 December 1992, Parliament having rescinded its decision authorizing the MP's detention; that, however, his passport remained impounded,

Recalling further that Mr. Lukanov was re-elected in December 1994 and thus again enjoyed parliamentary immunity; that, however, the Prosecutor General pursued the investigation under way against him regardless of the Rules of Procedure of the Assembly which stipulate that Article 70 of the Constitution "*whereby Parliament has to vote the lifting of the immunity of a parliamentarian, also applies to parliamentarians who are subject to judicial proceedings instituted before their election*", arguing that the decision of the previous Assembly to lift Mr. Lukanov's immunity was binding also for the newly elected Assembly,

Considering that on 28 May 1995 the Prosecutor General suspended the proceedings in the case of Mr. Lukanov,

Considering that, according to the information provided by the President of the Bulgarian National Group, Mr. Lukanov's passport is no longer impounded, as a result of which he may again travel freely,

Bearing in mind that, on 11 March 1996, the European Commission of Human Rights concluded that Mr. Lukanov's rights under Article 5 of the European Convention on Human Rights (right to liberty and security of person) had been violated,

1. Thanks the President of the National Group for his co-operation and the information he provided;

2. Notes that the investigations under way against Mr. Lukanov were suspended on 28 May 1995, that he has recovered his passport and that, therefore, for the time being, he is no longer subject to any judicial or administrative proceedings or decisions;

3. Regrets nevertheless that, despite the clear legal provisions regarding the lifting of parliamentary immunity, the investigations against Mr. Lukanov were pursued without a new request for the lifting of his immunity having been submitted to Parliament;

4. Requests the Committee on the Human Rights of Parliamentarians to close the file, reserving the possibility of reopening it in the light of any new developments;

5. Requests the Secretary General to inform the authorities and the source accordingly.

ANNEX XXVII

Case N° BDI/01 - SYLVESTRE MFAYOKURERA)
Case N° BDI/02 - NORBERT NDIHOKUBWAYO)
Case N° BDI/03 - LEONIDAS NTIBAYAZI) BURUNDI
Case N° BDI/04 - FREDERIC BANVUGINYUNVIRA)
Case N° BDI/05 - INNOCENT NDIKUMANA)

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the cases, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolutions adopted at its 157th session (October 1995), concerning the situation of Mr. Mfayokurera, Mr. Ndihokubwayo, Mr. Ntibayazi and Mr. Banvuginyunvira, of Burundi,

Having before it the case of Mr. Innocent Ndikumana, an incumbent member of the National Assembly of Burundi, and a member of the national directorate of the FRODEBU party, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians, in accordance with the *"Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians"*,

Considering that Mr. Innocent Ndikumana was attacked and killed by a gang of Tutsi militia on 16 December 1995; that he was reportedly stoned to death and his corpse placed in the boot of his car,

Considering that Mr. Ndikumana reportedly participated in the work of the National Commission on Defence and Security; that shortly before he was murdered he is said to have opposed within that Commission the proposals regarding the budget for the military, and that he drew heavy criticism from the military officer presenting the relevant proposal to the Commission,

Taking into consideration the information provided by the sources on 12 December 1995 and on 8 and 12 January 1996,

Taking also into consideration the information provided by the Prime Minister by letter dated 12 February 1996,

Taking further into account information provided by the Prosecutor General and conveyed by the delegation of Burundi to the 95th Inter-Parliamentary Conference (Istanbul, April 1996),

Recalling that Mr. Mfayokurera was assassinated on 10 August 1994; that Mr. Ndihokubwayo, Mr. Banvuginyunvira and Mr. Ntibayazi were seriously injured in the assassination attempts carried out against them in September 1994, September 1995 and February 1995, respectively; that Mr. Ndihokubwayo, fearing for his life, had to leave the country,

Recalling that, according to the sources, no serious investigation of these crimes has so far been undertaken; recalling in particular that the attackers of Mr. Ndihokubwayo were arrested and imprisoned, though later released by the investigating magistrate; that a disciplinary sanction against the magistrate had to be withdrawn on account of a sympathy strike by the entire magistrature,

Considering that, in his letter of 12 February 1996, the Prime Minister stated that his Government was doing its utmost to end the impunity which had reigned in the country since October 1993; that the Government had just established jurisdictions consisting of career magistrates and assessors selected from the various population groups, chosen for their integrity and sterling reputation, and that these jurisdictions had been established with each Court of Appeal and were vested with sole competence to try violent and related crimes,

Considering that, according to him, the situation regarding the investigations into the crimes in question appeared satisfactory from the reports which had been submitted to him by the relevant departments, and investigations aimed at punishing the authors of these crimes had been opened and were regularly updated; at the present stage, the possibility of leaving the cases with the Criminal Chamber from the very first hearings onwards was being considered,

Considering that, according to information supplied by the Prosecutor General and conveyed by the Burundi delegation to the 95th IPU Conference, the stage reached in the relevant investigations is as follows:

(i) regarding the case of Mr. Mfayokurera and Mr. Ndihokubwayo, the police, after a number of episodes, arrested a man in the city of Gitega suspected of involvement in these crimes and the Prosecutor General believes that his arrest will facilitate progress in the relevant investigations;

(ii) regarding the case of Mr. Ndikumana, persons suspected of the murder have been identified; however, they have fled from their homes and are probably in a neighbouring country; the police has issued arrest warrants;

(iii) as regards the case of Mr. Ntibayazi and Mr. Banvunginyunvira, the Prosecutor General affirms that he has never received any complaint of criminal acts perpetrated against these deputies,

Bearing in mind that the United Nations Special Rapporteur on Burundi, in his latest report to the United Nations Commission on Human Rights (E/CN.4/1996/16), stated that, despite the undertakings given by the State of Burundi, complete impunity was still enjoyed in the country, and that he was forced to note that there was no likelihood of any improvement in the situation,

Also bearing in mind the Special Rapporteur's view that the inertia and even complicity or inaction of broad segments of the ruling classes in Burundi and the criminal responsibility of extremists groups of all ethnic origins, both inside and outside the country, were parallelled by the regrettable passiveness and lethargy of the international community in assisting the democratic forces and moderate political elements in the country,

Recalling in this connection that the National Assembly of Burundi, in a climate of general insecurity and fear, has been convening and working despite the threats to their personal security hanging over many of its members,

Finally bearing in mind that the United Nations has set up a voluntary fund to facilitate the deployment of additional human rights monitors as demanded by the United Nations Commission on Human Rights,

1. Thanks the Prime Minister for the information he provided and trusts that it may count on his future co-operation;

2. Deplores that the Head of the National Police (Constabulary), under whose authority the investigations into the crimes committed against the members of Parliament in question are being conducted, has not replied to the repeated requests for information addressed to him;

3. Takes note with interest of the information supplied by the Prosecutor General and conveyed by the Burundi delegation to the 95th Inter-Parliamentary Conference;

4. Expresses its outrage at the continued violence which has claimed the life of yet another member of the National Assembly, Mr. Innocent Ndikumana;

5. Notes that, according to the Prime Minister, the situation regarding the investigations into these crimes appears satisfactory; that investigations have been opened and are regularly updated and that the cases may be left with the Criminal Chamber from the very first hearings onwards;

6. Is surprised, however, in view of the scant information supplied by the Prosecutor General, that this may be considered satisfactory;

7. Recalls in this connection that in the case of Mr. Ndihokubwayo the attackers had already been arrested and imprisoned but were released by the investigating magistrate;

8. Fails to understand the Prosecutor General's reasoning that he did not institute any investigation into the attempts on the lives of Mr. Ntibayazi and Mr. Banvuginyunvira for want of a complaint, since it is the duty of a Prosecutor General to institute *ex officio* investigations into criminal acts;

9. Urges the Prosecutor General also to initiate diligent investigations into the attempts on the lives of these two MPs;

10. Wishes to ascertain when the first hearings of the cases in question, referred to in the letter of the Prime Minister, will take place;

11. Would appreciate receiving a copy of the reports of the relevant departments from which it can be inferred that the situation appears to be satisfactory;

12. Reiterates once again in the strongest terms that every State has a duty to protect the security of its citizens and that, therefore, the Burundi authorities have a duty, under national and international law, to ensure that violations of the right to life and security of every citizen do not remain unpunished;

13. Insists that the competent authorities should fulfil their duties under national and international law and ensure that the fullest light is shed on the murders of Mr. Mfayokurera and Mr. Ndikumana and the attempts on the lives of Mr. Ndihokubwayo, Mr. Banvuginyunvira and Mr. Ntibayazi, and on the murder of the latter's wife and daughter, by means of expeditious and thorough inquiries;

14. Forcefully recalls that impunity constitutes a serious threat to democracy and human rights by encouraging culprits to persist in their wrongdoing;

15. Re-emphasizes that, in accordance with generally accepted standards of human rights, the victims and their families are entitled to adequate material compensation in the event of such tragedies;

16. Recalls that Burundi as a party to the International Covenant on Civil and Political Rights and to the African Charter on Human and Peoples' Rights is bound to ensure respect for the rights and freedoms guaranteed therein;

17. Requests the Secretary General to resume contact with the competent authorities and to convey these concerns to them, including direct representations to the Prime Minister and the Minister for Human Rights, urging them to ensure that the State officials under their authority fulfil their duties under national and international law;

18. Also requests the Secretary General to continue his efforts to assist Mr. Ndihokubwayo and his family in obtaining asylum in an appropriate African country and urges National Groups to extend their co-operation in this regard;

19. Further requests the Secretary General to maintain contact with the United Nations bodies and commissions dealing with the human rights situation in Burundi in order to inform them of the Council's and the Committee's work on these cases;

20. Calls on National Groups to make every effort to ensure that the United Nations voluntary fund recently established to permit the deployment of additional human rights monitors in the country is adequately funded;

21. Also calls on National Groups to do everything possible to give support to the National Assembly of Burundi as an act of parliamentary solidarity towards colleagues who, in seeking to fulfil their parliamentary duties, are permanently risking their lives;

22. Requests the Committee on the Human Rights of Parliamentarians to continue examining the cases and to report to it at its next session (September 1996).

ANNEX XXVIII

Case N°CMBD/01 - SAM RAINSY - CAMBODIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), concerning the case of Mr. Sam Rainsy, a member of the Parliament of Cambodia,

Taking into consideration the letters from the First Prime Minister dated 3 November 1995 and 12 January 1996 and the letters from His Majesty the King of Cambodia dated 20 November 1995 and 8 February 1996,

Also taking into consideration the information conveyed by the sources on 8 November 1995 and on 19 January and 12 April 1996,

Recalling that Mr. Sam Rainsy, a founding member of FUNCINPEC, was elected in 1993; that he was expelled from his party and subsequently stripped of his parliamentary mandate; that the authorities endorsed the view that, according to the prevailing law, people elect parties and not individuals and that therefore membership in the National Assembly is closely tied to membership in a party,

Recalling that the lawfulness of Mr. Sam Rainsy's dismissal from his party and subsequently from Parliament has been called into question by several sources, the latter in particular on grounds that not one single legal provision requires the replacement of MPs in the event of their dismissal from their parties,

Recalling also that Mr. Sam Rainsy has so far been unable to exercise his right to be heard, in particular since the Constitutional Court, which is competent in such matters, has not yet been set up,

Recalling further that the King of Cambodia - who according to the Constitution is the guarantor of the rights and freedoms of all Cambodian citizens - has on numerous occasions expressed his disagreement with Mr. Sam Rainsy's expulsion from the National Assembly; noting in this respect that the First Prime Minister in his declaration of 3 August 1995, as published by the Angkor Hebdo of 14 August 1995, stated that beside the National Assembly and the coalition Government *"the wisdom of His Majesty the King, the Father of the Nation"* was the country's best hope until the next elections,

Considering that, in his letter of 20 November 1995, the King of Cambodia stated that "*all observers of good faith recognize the efforts I have made unceasingly to defend human rights in Cambodia, particularly those of the Cambodian MPs in question. Yet the Government and the majority of the members of the National Assembly have the last word. My moral authority does not suffice ...*"; considering further that, in his letter of 8 February 1996, the King approved the principle that the defence of human rights is a duty incumbent upon the human community on the basis of the internationally recognized principles set forth in the Universal Declaration of Human Rights, in all circumstances, in all countries and under any political system,

Considering also that, in his letter of 3 November 1995, the First Prime Minister stated "*that the decision taken by FUNCINPEC to expel this person is entirely legitimate and that it was taken in full accordance with the provisions adopted democratically by the party, after several warnings to the person in question ...*"; that he stated subsequently in that letter that he had noted with surprise "*that arguments have led the Committee to fear that this parliamentarian has been stripped of his parliamentary seat solely for having exercised the right to freedom of speech. This is totally inadmissible. The National Assembly of Cambodia is sovereign ... ... I strongly hope that the IPU will unambiguously recognize the sovereignty of the National Assembly of the Kingdom of Cambodia*",

Considering further that, in his letter of 12 January 1996, the First Prime Minister stated that, since the IPU had not provided a clear-cut answer regarding the sovereignty of the National Assembly as requested by him, "*this fundamental point demands the suspension of any participation of the legitimate representatives of Cambodian institutions in the work of the IPU*",

Bearing in mind that in his declaration of 3 August 1995, the First Prime Minister, referring to the case of Mr. Sam Rainsy, stated firmly that "*neither the Prime Minister nor the Royal Government can interfere with the activities of the National Assembly. It is a sovereign organization*",

Considering that Mr. Sam Rainsy, on 9 November 1995, launched a new political party, the "Khmer Nation Party", that, however, the authorities immediately questioned the legality of the move arguing that there was no law specifying the constitutionally guaranteed right to establish parties and that therefore no new parties could be set up; that on 11 December 1995 the Government officially declared the Khmer Nation Party illegal and called on it to cease its activities,

Considering that, according to one of the sources, on 23 March 1996, at an extraordinary congress of the Liberal Reconciliation Party (LRP) -- a party registered under the UNTAC law for the 1993 elections -- Mr. Sam Rainsy was elected President of that party, which decided to change its name to "Khmer Nation Party",

Considering that, in his letter of 3 November 1995, the First Prime Minister stated that "*it would be impossible to follow the recommendations of the IPU. Indeed, the former MP decided to establish his own political party ... prior to his expulsion from the National Assembly, by publishing his political programme. This person deliberately strove to create a situation which could only lead to the legitimate decisions taken by his former party and the National Assembly*",

Considering that Second Prime Minister Hun Sen, in a statement published on 19 January 1996, said that Mr. Sam Rainsy's *"life would be shortened if concealed weapons were discovered in his possession ..."*,

1. Assures the Cambodian authorities that the Inter-Parliamentary Union fully recognizes the sovereignty of Cambodia and its National Assembly;

2. Recalls that the defence of human rights is a duty incumbent upon the human community on the basis of the internationally recognized juridical principles set forth in the Universal Declaration of Human Rights, in all circumstances, in all countries and under any political system;

3. Stresses therefore that the IPU's legitimate concern to ensure respect for the universally recognized human rights principles can in no way be construed by any State as interference in its internal affairs;

4. Reiterates that, over and above this duty, the international community has special responsibility for Cambodia after contributing, by dint of considerable effort, to the restoration of peace and the re-establishment of representative institutions;

5. Cannot but reaffirm the concerns expressed in the resolution it adopted at its last session (October 1995);

6. Notes with concern that the clear stand of His Majesty King Norodom Sihanouk on the case of Mr. Sam Rainsy has been ignored by the Government and the National Assembly, even though the Constitution makes the King guarantor of the rights and freedoms of all Cambodian citizens;

7. Fails to understand why the fact that Mr. Sam Rainsy founded a political party makes it impossible for him to have his case reconsidered by the competent authorities of Cambodia and, in particular, to have it heard by an impartial and independent tribunal in accordance with his right under national and international norms;

8. Urges the authorities and, in particular, the Cambodian Parliament to do everything in their power to ensure respect for Mr. Sam Rainsy's right to have his case heard by an independent and impartial court, and in particular by the Constitutional Court to be set up, in a spirit consonant with the principles of democracy and human rights;

9. Expresses concern at the fact that, initially, Mr. Sam Rainsy was prevented from founding a new political party, given that the Cambodian Constitution and the International Covenant on Civil and Political Rights, to which Cambodia is a party, guarantee the right to freedom of association; but notes that he was subsequently elected President of the Liberal Reconciliation Party, which decided to change its name to Khmer Nation Party;

10. Considers that the failure of the authorities to enact constitutional provisions, such as the law on political parties and the establishment of the Constitutional Court, cannot be advanced as precluding the exercise of constitutionally

guaranteed rights, such as the right to have one's case heard before an independent and impartial tribunal and the right to freedom of association;

11. Is alarmed at what seem to be thinly veiled death threats against Mr. Sam Rainsy, and strongly urges the Government to protect Mr. Sam Rainsy's life under any circumstances, as is its duty;

12. Requests the Secretary General to convey these considerations and concerns to the President of the National Assembly and to the First and Second Prime Ministers of Cambodia, inviting them to take these matters into urgent account;

13. Requests the Committee on the Human Rights of Parliamentarians to continue examining this case and to report to it at its next session (September 1996).

ANNEX XXIX

Case N° CMBD/02 - SON SOUBERT	)	
Case N° CMBD/03 - POL HAM	)	
Case N° CMBD/04 - SON SANN	)	**CAMBODIA**
Case N° CMBD/05 - KEM SOKHA	)	
Case N° CMBD/06 - KOY CHHOERN	)	

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), concerning the cases of Mr. Son Soubert, Mr. Pol Ham, Mr. Son Sann, Mr. Kem Sokha and Mr. Koy Chhoern, members of the Parliament of Cambodia,

Taking into consideration the letters from the First Prime Minister dated 3 November 1995 and 12 January 1996 and the letters from His Majesty the King of Cambodia dated 20 November 1995 and 8 February 1996,

Also taking into consideration the information supplied by one of the sources on 8 November 1995 and 19 January 1996,

Recalling that Mr. Son Soubert, Mr. Pol Ham, Mr. Son Sann, Mr. Kem Sokha and Mr. Koy Chhoern were all elected in the June 1993 elections organized by UNTAC (United Nations Transitional Authority in Cambodia) on the Buddhist Liberal Democratic Party (BLDP) ticket,

Recalling that in May 1995 the party split into two factions, one led by the Information Minister, Mr. Ieng Mouly, and the other by Mr. Son Sann, the party founder; that all the persons concerned joined the latter faction; and that the Government recognized the faction of Mr. Ieng Mouly as the legitimate BLDP party and Mr. Ieng Mouly as the party's legitimate President,

Recalling also that, on 5 August 1995, Mr. Ieng Mouly's faction reportedly voted to expel Mr. Son Sann together with the other MPs in question and that Mr. Mouly expressed his intention to demand their removal from Parliament and replacement by other party members,

Bearing in mind that a member of the National Assembly, Mr. Sam Rainsy, was deprived of his parliamentary seat on similar grounds on 22 June 1995,

Noting that the parliamentarians concerned are participating normally in the work of the National Assembly,

Recalling further that the BLDP faction loyal to Mr. Son Sann held a party congress on 1 October 1995; that on the eve of the congress when a crowd of Mr. Son Sann's supporters had already gathered, unidentified people threw a grenade into the courtyard of his residence and into a nearby Buddhist temple where some of his supporters were staying, injuring 30 people; recalling that the police reportedly did not arrive on the scene of the explosion for some 30 minutes and that motorists were taking victims to hospital,

Recalling that the congress, which went ahead despite the grenade attacks, was dispersed after one hour when armed military police moved in and cleared the area, reportedly moving participants away at gunpoint,

Bearing in mind that the First Prime Minister, Prince Norodom Ranariddh, in a statement published by the Cambodia Daily on 2 October 1995, stated *"the Royal Government will not condone such acts ... I can assure the people that those responsible for this criminal and cowardly act will be caught and brought to justice"*; that the Minister of the Interior was quoted by the same newspaper as having said that the investigation would be thorough and that King Norodom Sihanouk asked the Government *"to do all it can so that the criminals may be discovered, arrested and condemned as severely as possible so that justice and liberty for the Cambodian people may triumph"*,

Considering that in response to the Committee's and Council's repeated requests for information on progress made in the relevant investigations, in his communication of 12 January 1996 the First Prime Minister, considering the IPU's work on the case as interference in internal affairs, stated that *"this fundamental issue demands the suspension of all participation of the legitimate representatives of Cambodian institutions with the IPU"*,

Considering that the authorities have otherwise ignored the repeated requests for information addressed to them,

Recalling that the MPs concerned, in particular Mr. Kem Sokha and Mr. Son Sann, have reportedly been subjected to anonymous harassment and death threats,

Bearing in mind the observation of the Special Representative of the United Nations Secretary-General for Human Rights in Cambodia, as expressed in his report to the 52nd session of the United Nations Commission on Human Rights, that *"there cannot be pluralistic democracy where the lawful expression of dissenting and opposition views is suppressed, the right to organize political parties is impeded and violence against political opponents goes unpunished and apparently uninvestigated"*,

1. Wishes once again to assure the Cambodian authorities that the Inter-Parliamentary Union fully recognizes the sovereignty of Cambodia and its National Assembly;

2. Recalls in this respect that it has on numerous occasions solemnly stressed that the defence of human rights is a duty incumbent upon the human community on the basis of the internationally recognized juridical principles set forth in the Universal Declaration of Human Rights, in all circumstances, in all countries and under any political system;

3. Insists therefore that the IPU's legitimate concern to ensure respect for universally recognized human rights principles can in no way be construed by any State as an interference in its internal affairs;

4. Recalls moreover its previous statement in the case of Mr. Sam Rainsy to the effect that, over and above this duty, the international community has special responsibility for Cambodia after contributing, by dint of considerable effort, to the restoration of peace and the re-establishment of representative institutions;

5. Regrets the lack of co-operation from the authorities and recalls in this respect that the Committee's Procedure is based on the principles of dialogue and co-operation enabling it independently and objectively to cross-check the information submitted to it;

6. Notes with satisfaction that the MPs concerned are going normally about their parliamentary duties and infers from this that they may not be under any imminent threat of expulsion;

7. Remains concerned at the dispersal of the meeting organized by Samdech Son Sann on 1 October 1995, and reiterates its wish to ascertain the exact reasons for the police action;

8. Recalls that, under its Constitution and under international human rights norms, in particular the International Covenant on Civil and Political Rights, to which it is a signatory, Cambodia is bound to respect the right to freedom of association, which is central to mulit-party democracy and therefore has a particular bearing on the functioning of a representative Parliament;

9. Forcefully stresses that the Cambodian authorities have a duty, under national and international law, to bring to justice those responsible for the two grenade attacks on 30 September 1995 against the premises of the faction of BLDP led by Samdech Son Sann and against a Buddhist temple housing the faction's supporters;

10. While fearing that the silence of the authorities may simply indicate lack of progress, reiterates its wish to ascertain the outcome of the investigations into the attack which the authorities pledged to carry out, and urges the authorities to ensure that the investigations are conducted with all due diligence;

11. Remains deeply concerned at the death threats and harassment to which the MPs concerned are reportedly subjected, and once again urges the competent authorities to do everything in their power to protect the lives and security of those MPs, as is their duty;

12. Requests the Secretary General to convey these concerns to the authorities of Cambodia, inviting them to supply the information sought;

13. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXX

Case N° CO/01 - PEDRO NEL JIMENÉZ OBANDO	)	
Case N° CO/02 - LEONARDO POSADA PEDRAZA	)	
Case N° CO/03 - OCTAVIO VARGAS CUÉLLAR	)	**COLOMBIA**
Case N° CO/04 - PEDRO LUIS VALENCIA	)	
Case N° CO/06 - BERNARDO JARAMILLO OSSA	)	
Case N° CO/08 - MANUEL CEPEDA VARGAS	)	

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), concerning the case of Mr. Pedro Nel Jiménez Obando, Mr. Leonardo Posada Pedraza, Mr. Octavio Vargas Cuéllar, Mr. Pedro Luis Valencia, Mr. Bernardo Jaramillo Ossa and Mr. Manuel Cepeda Vargas, of Colombia,

Considering the information supplied by the Office of the Presidential Adviser for Human Rights, dated 22 January 1996,

Taking into consideration the information provided by the sources on 12 and 19 January, 22 February and 25 March 1996,

Recalling that, according to the Office of the Presidential Adviser for Human Rights, the Office of the Prosecutor General has shown special concern over the situation suffered by the Congressmen of the Patriotic Union (UP) and has therefore set up a special group of Regional Prosecutors, together with a Technical Investigation Corps of the Prosecutor's Office (CTI) and the Homicide Brigade, Bogotá section, to advance the respective investigations; that, however, his Office cannot report on their progress since it is bound by confidentiality,

Considering that, according to information provided on 22 January 1996 by the same Office, nobody is currently detained in the case of the murders of Senator Jaramillo and that the relevant file is in the hands of the investigating magistrate, who has still to take a decision,

Considering that, in a communication of 19 January 1996, one of the sources confirms previous information that the files relating to the murders of Mr. Vargas Cuéllar and Mr. Luis Valencia Giraldo have been archived and that those concerning Mr. Jaramillo, Mr. Jiménez and Mr. Posada are at a standstill,

Recalling that Mr. Manuel Cepeda Vargas, murdered on 9 August 1994, had denounced to senior officials of President Gaviria's Government; the existence of a death list drawn up as part of the *"Golpe de Gracia"* (*coup de grâce*) plan to kill Communist Party and Patriotic Union leaders, including Manuel Cepeda himself; that he made a statement before the National Assembly accusing the Commander in Chief of the Armed Forces and General Bedoya of being the *"Señores de la Guerra"* (warlords) who opposed peace negotiations and were marked by their *"professional anti-communism and links to paramilitary groups"*,

Recalling the allegations made by one of the sources about the conduct of the investigation into the murder of Senator Cepeda, with special reference to police behaviour; considering in this respect that, according to the same source, on the day of Mr. Cepeda's murder, only one agent was present on the premises of the Police Rapid Intervention Centre (CAI, Centro de Atención Inmediata) located near the scene of the crime and that the other members of the group were on duty elsewhere; recalling also that, according to this source, two leading witnesses have been killed and others have started to express doubts and retract their statements, and that the source fears that they have been threatened or are part of a "cover-up" to prevent the investigators from inquiring into the real motives for the murder,

Considering that, according to the Office of the Presidential Adviser for Human Rights, investigations into the murders of the witnesses have been instituted and are proceeding in conjunction with the investigation into Senator Cepeda's murder,

Recalling that, according to information provided by the Office of the Presidential Adviser for Human Rights on 3 October 1995, steps have been taken regarding the complaints about the behaviour of the National Police before and after Senator Cepeda's murder; that a preliminary inquiry conducted by the Special Investigation Office of the Office of the Prosecutor General revealed irregularities in the conduct of the members of the police who were present in the Rapid Intervention Centre near the place where Manuel Cepeda was killed,

Considering, however, that no information on the outcome of these investigations has been supplied,

Considering also that, in its communication of 22 January 1996, the Office of the Presidential Adviser for Human Rights confirmed that those so far involved in the murder of Mr. Cepeda are Edison de Jesús Bustamente (or Fidedigno Bustamente García), José Luis Ferraro Arango, Carlos Castaño Gil, Hector Castaño Gil, Víctor Alcides Giraldo and Edison de Jesús Jiménez; that the first two are being held under high security conditions in Bellavista Prison and have appealed against their preventive detention, that arrest warrants have been issued for the others, and that Víctor Alcides Giraldo has been declared "absent",

Recalling that, according to one of the sources, Víctor Alcides Giraldo escaped on 1 February 1995 from the high security section of Bellavista Prison,

Recalling further that, according to the authorities, a search group *(Bloque de Búsqueda)* composed of members of the national police went to the Urubá region with the purpose, *inter alia*, of capturing the Castaño Gil brothers, who are suspected of involvement in the murders of Senators Jaramillo and Cepeda,

Considering that, according to the source, the Government, through the Ministry of the Interior, has decided to open negotiations with paramilitary groups with a view to reincorporating them in civilian life, that the media allegedly reported on a meeting of the Minister with the Castaño brothers and that the source fears that this process might amount to granting paramilitary leaders, including the Castaño brothers, total impunity,

Considering finally that the United Nations Commission on Human Rights is seriously considering the appointment of a Special Rapporteur on Colombia,

1. Regrets that the Office of the Presidential Adviser for Human Rights has failed to respond to the requests for information which the Committee on the Human Rights of Parliamentarians addressed to it after its last session (January 1996);

2. Recalls that, according to information provided by that Office in October 1995, a special unit has been set up to advance investigations into the murders of the parliamentarians belonging to the Patriotic Union;

3. Deeply regrets that this step has apparently produced no results so far and once again strongly urges the competent authorities to do everything possible to make such measures effective;

4. Is perplexed at the fact that, on the one hand, a Special Search Group has been sent to the Urubá region with the aim, *inter alia*, of capturing the Castaño brothers and that, on the other, the Government has reportedly entered into negotiations with them, and would appreciate the views of the authorities in this respect;

5. Deplores the fact that the reactivation of the investigations into the cases of Mr. Jiménez Obando, Mr. Posada Pedraza and Mr. Vargas Cuéllar has failed to produce any result whatsoever and wishes to ascertain why;

6. Reiterates its request for information regarding:
   (i) progress made concerning the investigations into the murder of witnesses in the case of Senator Cepeda;
   (ii) the results of the investigation into the conduct of the officers involved in the investigation into the murder of Senator Cepeda, particularly in view of the allegation of one of the sources that the Rapid Intervention Centre was manned by only one agent at the time of Senator Cepeda's murder;
   (iii) the outcome of the appeal which Edison de Jesús Bustamente (or Fidedigno Bustamente García) and José Luis Ferraro Arango lodged against their preventive detention;

7. Reiterates its request for information as to whether the Colombian authorities, in view of the serious nature of the matter, have taken any steps to conduct inquiries into the existence of the "*Golpe de Gracia*" plan denounced by Senator Cepeda and into the accusations made by him in the National Assembly against the Commander in Chief of the Armed Forces and General Bedoya;

8. Feels that the appointment of a United Nations Special Rapporteur would greatly assist the Government in combating the problem of impunity in the country;

9. Requests Senator Hugo Batalla, Vice-Chairperson of the Committee, to establish contact with the appropriate Colombian authorities with a view to initiating a dialogue on the cases under consideration by the Committee;

10. Requests the Secretary General to convey these concerns to the President of the National Congress and of the National Group of Colombia;

11. Also requests the Secretary General to resume contact with the Office of the Presidential Adviser for Human Rights, inviting it to transmit the information desired and report any new developments in connection with these cases;

12. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXI

Case N° CO/09 - HERNÁN MOTTA MOTTA - COLOMBIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Having before it the case of Senator Hernán Motta Motta, a member of the Parliament of Colombia, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians, in accordance with the "*Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians*",

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), which contains a detailed outline of the case,

Taking into consideration the communication of 22 January 1996 from the Office of the Presidential Adviser for Human Rights,

Considering that Senator Hernán Motta Motta, an incumbent member of the Colombian Parliament and member of the Patriotic Union, took the parliamentary seat of Senator Manuel Cepeda, who was assassinated in August 1994, and that he is currently the only remaining parliamentarian belonging to that party,

Considering that, according to the source, he has been receiving death threats and that his name appears on a list drawn up by the "Self-defence organization of Colombian farmers: Henry Pérez" ("*Organización de autodefensa de los campesinos de Colombia: Henry Pérez*"), which "tried and sentenced him to death" along with other persons,

Considering that, on 11 January 1996, the source reported that in December 1995 human rights organizations of the Meta region in south-east Colombia denounced the fact that Víctor Carranza, a paramilitary leader, was training "*sicarios*" (hired killers) in the municipalities of Puerto López and Puerto Gaitán to kill the remaining national leaders of the Patriotic Union,

Considering that, according to the source, the Government, through the Ministry of the Interior, has engaged in negotiations with paramilitary groups with the aim of reintegrating them into civilian life, which might result in their enjoying amnesty and total impunity,

Considering that in its communication of 22 January 1996 the Office of the Presidential Adviser for Human Rights stated that, under an agreement concluded between the Administrative Department for Security and the Patriotic Union, the Senator is provided with an armed escort,

1. Thanks the Office of the Presidential Adviser for Human Rights for the information it provided;

2. Is extremely alarmed at this new threat to the life of a member of the Colombian Parliament;

3. Recalls that it is the responsibility of the State to ensure the security of its citizens, including their elected representatives, and urges the Colombian authorities to do everything in their power to protect the life and security of Senator Motta;

4. Wishes to ascertain whether investigations into the death threats have been instituted with a view to identifying and punishing those making the threats, together with any result;

5. Wishes also to know what steps are being taken by the competent authorities to investigate the allegations made and in particular, with a view to securing their preventive detention, to determine the whereabouts of Víctor Carranza and the *sicarios* he is allegedly training;

6. Would appreciate information on the nature and aim of the negotiations with paramilitary groups which the Government of Colombia has reportedly initiated;

7. Requests Senator Hugo Batalla, Vice-Chairperson of the Committee, to establish contact with the appropriate Colombian authorities with a view to initiating a dialogue regarding this case;

8. Further requests the Secretary General to convey these considerations to the Office of the Presidential Adviser for Human Rights, inviting him to supply the requested information;

9. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXII

Case N° GMB/01 - LAMIN WA JUWARA - GAMBIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Having before it the case of Mr. Lamin Wa Juwara, a former member of the Parliament of Gambia, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians, in accordance with the "*Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians*",

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), which contains a detailed outline of the case,

Taking into consideration the information provided by the source on 26 March 1996,

Considering that Mr. Lamin Wa Juwara was a member for Niamina of the House of Representatives, which was dissolved in the wake of the military coup of 22 July 1994 led by Lieutenant Yahya Jammeh,

Considering that, according to the source, since the coup d'Etat, Mr. Lamin Wa Juwara has been in and out of prison and detained for months without charge; that on several occasions he was reportedly taken to Georgetown by special police,

Considering that he was reportedly last arrested in October 1995 when it was believed that he had again been taken to army barracks in Georgetown; that, however, when his wife, Ms. Soma Jallow, went there in the hope of seeing him, she was told by the local authorities that they had no knowledge of her husband's whereabouts; and that he has thus "disappeared",

Considering that the source fears that Mr. Juwara's life may be in danger,

1. Is extremely concerned at the arrest and subsequent disappearance of Mr. Lamin Wa Juwara, particularly in view of the allegation that he was arrested and taken away by a special police team acting on State authority;

2. Stresses that it is the fundamental obligation of the State to guarantee and protect the right to life and security of its nationals and that, therefore, it is its duty to make every effort to shed light on the situation of disappeared persons by means of diligent and thorough investigations;

3. Wishes to ascertain urgently the whereabouts of Mr. Lamin Wa Juwara and the reasons for his arrest and detention;

4. Wishes to receive full information on the nature and outcome of the investigation, if any, carried out into Mr. Wa Juwara's disappearance;

5. Recalls that Gambia is a party to the International Covenant on Civil and Political Rights and therefore bound to respect the rights established therein, such as the right to life and security of the person;

6. Requests the Secretary General to convey these concerns and considerations to the competent authorities and any other body likely to supply information on the whereabouts and current situation of Mr. Wa Juwara;

7. Calls on all Nationals Groups to take such action as will require response from the Gambian authorities on this matter of serious and urgent concern;

8. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXIII

Case N° HOND/02 - MIGUEL ANGEL PAVÓN SALAZAR - HONDURAS

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), concerning the case of Mr. Miguel Angel Pavón Salazar, of Honduras,

Taking into account the communication from the Special Human Rights Prosecutor, dated 26 March 1996,

Noting that, in his communication of 6 March 1996, the President of the National Congress stated that he had not received any of the correspondence addressed to him and that he had instructed the Human Rights Commission of Parliament to ascertain the current stage of the investigations into Mr. Pavón's murder,

Recalling that Mr. Angel Pavón Salazar, a member of the Honduran Congress, was shot dead on 14 January 1988, and that the initial findings of the investigations established a link between his murder and evidence he gave in October 1987 before the Inter-American Court of Human Rights on three cases against the Honduran Government concerning disappearances in Honduras between 1981 and 1984,

Recalling that by 1991 the investigations into his murder had come to a virtual standstill and that the Council then came to the conclusion that the investigations had probably not been conducted with due diligence by the competent authorities, expressing its deep concern that the lack of progress in the investigations might result in impunity for the assassins,

Recalling that, in the face of the *de facto* impunity enjoyed by the culprits, the Council recognized over the following years the lack of resolve of the Honduran State to establish the truth and expressed the view that, failing information from the authorities indicating that measures were indeed being taken to complete the investigations, it would be led to conclude that the Government shared responsibility in that assassination by omission, neglect or incapacity to act,

Noting that only in 1994, following the publication of the report on "disappearances" by the National Commissioner for the Protection of Human Rights in December 1993 and the establishment of a Special Human Rights Prosecutor, were the investigations regarding the case reactivated by that Prosecutor,

Recalling, however, that no information on any progress made in the investigations was supplied and that, on 5 October 1995, one of the sources reported that the investigations had not progressed "because of the lack of interest of the previous as well as the new authorities concerned",

Considering that in her communication of 26 March 1996, the Special Human Rights Prosecutor stated that her Office, "*despite the limitations and difficulties generated by the passage of time, has restarted the investigation process that had been virtually abandoned by the judicial authorities*",

Considering also that, according to her, there have been significant developments in the judicial proceedings since last year; that, however, the Criminal Investigation Department (DIC) was at present trying to ascertain the whereabouts of the sole eyewitness of the event; that, likewise a number of suspects from the former National Investigation Department (DNI) were under investigation; that her Office had asked the First Criminal Court of Francisco Morazán Department to send letters rogatory to the El Canadá judicial authorities for the purpose of a hearing of the testimonies of four ex-members of Intelligence Battalion 3-16, Florencio Caballero, José Barrera Martínez, Fausto Reyes Caballero and José Valle, who will need to appear before the Judge of the locality where they live in El Canadá also in connection with the assassination of Mr. Pavón,

Noting that, apart from the name of Mr. Fausto Reyes Caballero, a former member of Battalion 3-16 who in 1988 denounced members of that Battalion as being Mr. Pavón's murderers, none of the names quoted by the Special Prosecutor appear in the documentary material before the Committee; that the material before the Committee instead mentions the names of four other ex-members of that Battalion wanted in connection with Mr. Pavón's murder,

Recalling that the Inter-American Commission on Human Rights, seized of the case of Mr. Pavón and Mr. Landaverde in August 1989, in its final report N° 13/94 on the matter established that "the Government of Honduras had failed to comply with its obligation under Article 4 (right to life), Article 8 (right to a fair trial) and Article 25 (right to judicial protection) which it undertook to respect according to Article 1.1 of the American Convention on Human Rights", that it had failed to carry out a full and impartial investigation into those crimes with a view to identifying the culprits, who remained unpunished, and that it had not paid any compensation to victims' families,

Recalling that the case has not been submitted to the Inter-American Court of Human Rights, but rather referred back to the Honduran Judiciary,

Recalling that, according to one of the sources, the case is currently subject to a "friendly settlement" procedure before the Inter-American Commission on Human Rights with a view to obtaining reparation, including compensation; that this, however, does not preclude a proper investigation by national authorities to determine the truth and prosecute the culprits,

1. Thanks the Honduran authorities for the information they provided and hopes that the new resolve thus displayed will result in continuing co-operation with the IPU in this matter and hence in progress towards a satisfactory settlement of the case;

2. Welcomes the fact that the competent Honduran authorities have started to take action against military personnel suspected of being responsible for "disappearances" in the 1980s, but regrets that the resolve thus demonstrated to end impunity has so far had no bearing on the case of Mr. Pavón Salazar;

3. Notes, however, that investigative action is under way and would appreciate more detailed information thereon, in particular as regards the dates on which the relevant steps were initiated;

4. Notes that Fausto Reyes Caballero, Florencio Caballero, José Barrera Martínez and José Valle, all ex-members of Battalion 3-16 which is suspected of involvement in Mr. Pavón's murder will have to appear before the judge, and wishes to ascertain in this connection whether the investigations regarding four other members of that Battalion, namely Jordi Montañola Escobar, José Ramón Mejía Rodríguez, Jaime Rosales and Wilfredo Orellana, have been abandoned and, if so, why;

5. Emphasizes that, in accordance with generally accepted standards of human rights, the families of victims are in any case entitled to adequate material compensation;

6. Requests the Secretary General to resume contact with the competent authorities in order to convey those considerations to them;

7. Also requests the Secretary General to contact the Inter-American Commission on Human Rights with a view to obtaining further details on the current stage of the procedure aimed at obtaining reparation, including compensation, for the family of the victim;

8. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXIV

Case N° IDS/09 - SUKATNO - INDONESIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996) *

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) concerning the case of Mr. Sukatno, of Indonesia,

Taking into consideration the information provided by the Indonesian delegation at a hearing held on the occasion of the 95th Inter-Parliamentary Conference (Istanbul, April 1996),

Taking into consideration the information provided by the source on 22 March 1996,

Recalling that, in August 1986, the Central Jakarta District Court which had tried and imposed a death sentence on Mr. Sukatno submitted a request for clemency to the President; and that, according to the authorities, this act corresponded to a constant practice intended to fill a vacuum in the Law on Clemency Requests,

Recalling that, according to information provided by the National Group of Indonesia at the Bucharest Conference (October 1995), the Central Jakarta District Court submitted a second request for clemency to the President of the Republic and; that, according to the Group, every legal effort was being made in favour of Mr. Sukatno,

Considering that, according to the Indonesian delegation to the 95th Inter-Parliamentary Conference, the appeal for clemency was still pending and that they did not know how long it would take before the adoption of a decision thereon; that, in the event of a refusal, Mr. Sukatno is liable to execution,

Recalling that the Indonesian Law on Clemency Requests, as brought to its knowledge by the authorities, forbids the execution of a condemned person so long as an appeal for clemency has not been lodged and rejected; recalling also that Mr. Sukatno does not wish to make any such appeal since this might lead to his execution,

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* The delegation of Indonesia expressed its reservation with regard to the report as well as the resolution adopted by the Inter-Parliamentary Council.

Considering also that, according to the source, Mr. Sukatno is seriously ill, both physically and mentally, a matter of which the members of the Indonesian delegation to the 95th IPU Conference had no knowledge,

1. Thanks the Indonesian delegation for the information it provided;

2. Profoundly regrets once again that its repeated appeals to the President of the Republic and to the Indonesian Group with a view to obtaining Mr. Sukatno's release in view of his age or to include him in an amnesty have been to no avail;

3. Remains deeply alarmed at the prospect that the appeal for clemency lodged by the Central Jakarta District Court on Mr. Sukatno's behalf might lead to his execution on the basis of an alleged legal vacuum filled by practice, and insists that this would be arbitrary and constitute a gross violation of human rights;

4. Hopes once again that the appeal for clemency lodged by the Central Jakarta District Court will lead to Mr. Sukatno's release, and urges the Indonesian Group once again to do everything in its power to this end;

5. Reiterates its pressing appeal to the President of the Republic that he pardon Mr. Sukatno in view of the latter's advanced age, the nearly three decades he has already spent in prison and his deteriorating health;

6. Reiterates also its earlier suggestion that Parliament consider adopting an amnesty covering Mr. Sukatno;

7. Requests the Secretary General to convey these concerns to the Indonesian authorities, including the National Human Rights Commission;

8. Also requests the Secretary General to enter into contact with the President of the Republic of Indonesia and to inform him of the concerns of the IPU and its appeal for Mr. Sukatno's pardon;

9. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXV

Case N° IDS/10 - SRI BINTANG PAMUNGKAS - INDONESIA

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996) *

The Inter-Parliamentary Council,

Having before it the case of Sri Bintang Pamungkas, a member of the Indonesian House of Representatives, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians in accordance with the "*Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians*",

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), which contains a detailed outline of the case,

Taking into account the communication from the Speaker of the House of Representatives dated 26 March, and the information provided by the Indonesian delegation at a hearing held on the occasion of the 95th Inter-Parliamentary Conference (Istanbul, April 1996),

Taking into consideration the information provided by the sources on 15 February and 5 April 1996,

Considering that Mr. Pamungkas, a member of the Indonesian House of Representatives (Dewan Perwakilan Rakyat, DPR), elected on a PPP (United Development Party) ticket and known as an outspoken critic of the Government, happened to visit Germany at the same time as President Suharto and gave lectures at a number of universities; considering also that during the President's stay in Hanover and Dresden from 1 to 6 April 1995, demonstrations took place against Indonesia's human rights policy,

Considering that President Suharto, on his return to Indonesia on 13 April 1995, reportedly stated that his Government would take strong action against Indonesians believed to be providing information or co-operating with individuals and groups outside Indonesia involved in organizing anti-Indonesian demonstrations,

Considering that after his return to Indonesia, Mr. Pamungkas was summoned by police for questioning as a witness on 18 and 19 April 1995 regarding a case involving violation of Article 134 of the Indonesian Criminal Code, which stipulates punishment for "insulting or undermining the dignity of the Head of the State",

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* The delegation of Indonesia expressed its reservation with regard to the report as well as the resolution adopted by the Inter-Parliamentary Council.

Considering that, on 5 May 1995, he was again summoned for interrogation, this time on suspicion of having violated Article 104 (planning and organizing or instigating people to kill the President), Article 131 (factual assault against the President, kicking or punching him), Article 134 (insulting or undermining the dignity of the President) and Article 137 (distributing pictures or letters insulting or humiliating the President); considering that violation of Article 104 of the Penal Code carries the death penalty,

Considering that, in July 1995, the accusations against him shifted from participation in anti-Indonesian demonstrations to deliberately insulting President Suharto at a seminar he gave on 9 April 1995 at the Polytechnicum (Technische Hochschule) in Berlin,

Considering that, on 24 October 1995, he was indicted essentially on a charge of having, at that seminar, called both President Suharto and former President Soekarno dictators who violated the 1945 Constitution, and of criticizing the excessive role of the Indonesian executive,

Considering that the trial started on 20 October and that the sources expect the judgment to be given in early May,

Considering that, according to the source, when the investigations against Mr. Pamungkas started, the police were not even aware of the seminar he had given in Berlin on 9 April 1995 at a time when President Suharto had already left Germany, and that it was only after dropping, for lack of evidence, the accusations under Articles 104, 131, 134 and 137 of the Penal Code, that the accusation switched to statements made at the seminar in question,

Considering that, according to the source, the main exhibit is a transcript of a 180-minute tape-recording of the seminar which had lasted almost seven hours; that the allegedly offending sentences were taken out of context, incomplete and unclear; that, at any rate, Indonesian penal law does not accept tape-recordings as evidence,

Considering that at the hearing held on the occasion of the 95th Inter-Parliamentary Conference, the Indonesian delegation confirmed that, under Indonesian law, tape-recordings were considered insufficient evidence,

Considering further that, according to the source, the prosecution witnesses who had been contacted by the Indonesian Consulate General in Berlin and were flown in from Germany, were unable to explain the context in which the offending statements had been made,

Considering also that in his defending statement, Mr. Pamungkas explained that, as he had often done before and like many other Indonesians, he had indeed criticized the 1945 Constitution for being "executive heavy" and proposed an amendment to Article 7 of the Constitution, limiting the number of times a President can be re-elected,

Considering that on 13 March 1996 the Attorney General demanded a sentence of four years' imprisonment for Mr. Pamungkas; that, in his defending speech, Mr. Pamungkas stated, *inter alia*, that his trial was a political one aimed at silencing a Government critic, particularly in view of the 1997 parliamentary and the 1998 presidential elections,

Considering further that, according to the source, Mr. Pamungkas was interrogated in contravention of the necessary legal requirements under Law N° 13 of 1970 on police procedures against MPs,

Considering that, in February 1995, Mr. Pamungkas' party, the PPP, decided to "recall" him from his parliamentary seat, a decision which came into effect on 8 May 1995 after President Suharto had signed the official dismissal decree; that, however, Mr. Pamungkas is still a member of the PPP,

Considering that, according to the source, the "recall" procedure from parliament was flawed with numerous irregularities, in particular the fact that the required Government Ordinance regulating the recall procedure did not yet exist and that, generally speaking, a party's right to recall an elected member of Parliament was unconstitutional,

Considering that Mr. Pamungkas has brought a lawsuit against President Suharto before the Administrative Court for having infringed the proper legal procedures; that the Court declared itself incompetent to deal with the matter and that an appeal against that decision is pending,

Considering that at the hearing held on the occasion of the Istanbul Conference, the Indonesian delegation stated that, according to the Indonesian electoral system, people vote for the party emblem and not individual candidates; that the recall right belongs solely to the party, which may recall a member who does not conform to party rules and policy, and that the presidential decree ratifying the decision of the party is a purely formal matter,

Considering that, according to a member of the Indonesian delegation and member of the PPP leadership, Mr. Pamungkas had been warned several times, three times in 1994 alone, against deviating from the party line and making statements without consulting his party; that he had frequently been invited to explain himself before the party's leadership; that, however, he had usually declined to appear; that eventually, in February 1995, the party decided to recall him; that, after consultation with the Speaker of the House of Representatives, the "recall" procedure was launched in March 1995, prior to the incidents in Germany,

Considering that, according to the source, in May 1992 when the Party was campaigning for President Suharto as the only candidate for the 1993 elections, Mr. Pamungkas launched the idea of having more than one presidential candidate; in November 1993, he was warned because he challenged the military double function concept; there was no incident in 1994; finally, at a press conference in February 1995, he challenged the Minister of Finance as the latter warned some journalists not to mix opinions and facts, thus interfering with freedom of the press; that less than a week later, the Party decided to "recall" him,

Considering that, according to the delegation, the party was obliged only to discuss the "recall" with the leadership of Parliament - which it did - but not to hear Mr. Pamungkas; that Mr. Pamungkas is still a member of the party since membership ends only in the case of resignation, death or a switch of party allegiance,

Considering that, by virtue of a decision taken by the Attorney General on 17 April 1995, Mr. Pamungkas is banned from travelling abroad; that he has appealed against the decision and won the case in the first instance,

Considering that Mr. Pamungkas has also lodged a complaint against the chairmanship of his party, which is pending,

1. Thanks the Speaker of the House of Representatives and the Indonesian delegation to the 95th Inter-Parliamentary Conference for the observations and information they provided and for their co-operation;

2. Stresses that the revocation of a parliamentarian's mandate is a serious measure which deprives MPs so affected of the possibility of exercising their electoral mandate and should therefore only be taken in strict compliance with the law and only on very serious grounds;

3. Notes with regret that Indonesian law empowers political parties to have representatives of the people "recalled", particularly in the light of the Council's constant position that, once elected, all members of Parliament hold their mandate by popular will;

4. Considers that in making the offending statements, as quoted in the indictment, Mr. Pamungkas merely exercised his right to freedom of expression, which would be quite meaningless if it did not include the right, in particular, of MPs to criticize the Executive;

5. Notes with concern that Mr. Pamungkas was first summoned and interrogated on suspicion of having participated in the demonstrations against President Suharto; that when no evidence of that could be found, the investigations, instead of being dropped, shifted to the seminar he gave on 9 April, and fears that this may denote a deliberate attempt to have him prosecuted;

6. Expresses deep concern that a transcript of a tape-recording which moreover reproduces merely three hours of a discussion that lasted almost seven hours, may be accepted as evidence against a person, and notes that the Indonesian delegation to the Istanbul Conference affirmed that tape-recordings were not sufficient evidence under national law;

7. Is concerned at the allegation by the source that Mr. Pamungkas' summons as a witness and suspect did not comply with the relevant legal provisions;

8. Notes that complaints regarding these matters are still pending before the Administrative Court;

9. Requests the Secretary General to convey these concerns to the Speaker of the House of Representatives, inviting him to apprise the Committee of any developments in this case;

10. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXVI

Case N° MLD/02 - ILYAS IBRAHIM - MALDIVES

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) regarding the case of Mr. Ilyas Ibrahim, of the Maldives,

Considering the communication from the Minister of State for Presidential Affairs, dated 30 January 1996,

Considering the communications from the source dated 16 February, 12 March and 1 April 1996,

Recalling that Mr. Ibrahim, a former member of the Citizens' Majlis, at the close of an allegedly unfair trial, was sentenced *in absentia* on 9 September 1993 to 15 years and 6 months' banishment for having violated the Constitution and broken the oath taken as a member of the Cabinet by seeking election as President of the Maldives; that he was also found guilty of "illegal participation in business with foreigners" and sentenced to another year of banishment,

Recalling also that Mr. Ibrahim, on the advice of his legal representative, did not proceed with the appeal against the judgment whereby he was found guilty of violating the Constitution since the proceedings were completely unfair,

Considering that, according to the source, one of the main reasons why Mr. Ibrahim withdrew the appeal was that, as instructed by President Gayoom, he had written in February 1993 to all MPs stating categorically that he had no intention of standing for presidential nomination so long as President Gayoom himself intended to remain in office; that, however, the letter was not accepted as evidence by the Court, which had previously instructed him to make no reference to the President,

Considering that the source, in its communication of 16 February 1996, stressed once again that Mr. Ibrahim left the Maldives in June 1993 on the clear instructions of the President and that his legal representative wanted to prove in the appeal proceedings that Mr. Ibrahim had never "*violated or failed to honour the oath taken as a member of the Cabinet*", as stated in the judgment,

Considering that prosecution witnesses in Mr. Ibrahim's case have reportedly retracted their statements, declaring them to have been false, and that the witness who was accused of having performed black magic to guarantee Mr. Ibrahim's election as President was reportedly pardoned by the President in November 1995,

Considering that Mr. Ibrahim, on learning of the retraction of testimonies against him, on 18 September 1995, appealed to the High Court, apparently under Article 18 of the Constitution, *"to alleviate him from injustice"*; that in January 1996 the High Court rejected the appeal referring to paragraph 2 of Law N° 81/78, which stipulates that "where a charge has been withdrawn upon request by the person filing the charge, the case will not be heard again under any circumstance",

Considering further that, according to the source, a new regulation governing legal representation before court was adopted, and that Mr. Ibrahim may now be represented by a lawyer in the appeal he lodged against the judgment whereby he had been sentenced for illegal participation in a foreign company; that the High Court has accepted the appeal and that, however, no hearing has so far taken place,

Considering that, according to the source, Mr. Ibrahim decided, after spending almost three years abroad, to return to the Maldives and face the consequences of what he regards as an unfair trial and conviction; that he reportedly arrived in the Maldives on 9 March and was put under house arrest,

Considering that, in his communication of 30 January 1996, the Minister of State for Presidential Affairs reiterated that *"while recognizing that human rights are a matter of international concern and do not stop at national borders, under international law, a case or a complaint against a sovereign State cannot be heard unless such a sovereign State has submitted itself to the jurisdiction of the international organization that has received the complaint or is a member State of that organization*; that *"the Republic of the Maldives is fully committed to international law and internationally recognized legal principles guaranteeing human rights and fundamental freedoms, including the right to a fair trial"*,

Recalling finally that, in his letter of 3 October 1995, he stated *inter alia* that *"the complaints communicated to the IPU must be considered in the light of the democratic principles that prevail in the country and must be cross-checked thoroughly, verified and substantiated before any action by the Union is taken"*,

1. Thanks the Minister of State for Presidential Affairs for his observation;

2. Regrets, however, that neither he nor any other authority to which the Committee addressed its requests for information, has replied in substance to the Committee's requests for information;

3. Stresses once again that the Committee on the Human Rights of Parliamentarians serves as an instrument of international dialogue and co-operation and is recognized as such, and that its role is that of a mediator between the sources and the authorities of the countries concerned seeking a settlement of the cases brought before it in line with the internationally recognized human rights principles;

4. Trusts, therefore, that the Maldivian authorities, in line with their stated commitment to the internationally recognized human rights principles and their wish that all information conveyed to the Committee be thoroughly cross-checked and verified, will respond more fully to the Committee's and the Council's concerns as expressed in their previous resolutions on the matter and will supply the requested documents;

5. Wishes to obtain the view of the authorities on the report that Mr. Ibrahim, as instructed by President Gayoom, announced he would not be standing for presidential nomination so long as President Gayoom intended to remain in office, and that the letter in question was not accepted as evidence by the High Court;

6. Wishes to ascertain the current situation of Mr. Ilyas Ibrahim;

7. Earnestly hopes that a review of the trial whereby Mr. Ibrahim was sentenced will be possible since prosecution witnesses have reportedly retracted their testimonies against him and since an important document, namely Mr. Ibrahim's letter of renunciation of presidential nomination, was reportedly not examined by the Court;

8. Notes with satisfaction that the rules of legal representation in court have been changed and that Mr. Ibrahim may now be represented by a lawyer in the proceedings instituted subsequent to his appeal against the judgment whereby he was sentenced for illegal participation in a foreign business, and wishes to ascertain the stage reached in the relevant proceedings;

9. Requests the Secretary General to resume contact with the Maldivian authorities, inviting them again to supply the desired information and documents, stressing that should they remain silent it would be compelled to infer that the allegations of failure to respect the human rights of Mr. Ibrahim are well founded and draw the appropriate conclusions;

10. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXVII

Case N° MLD/03 - MOHAMMED SALEEM - MALDIVES

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) on the case of Mr. Mohammed Saleem, of the Maldives,

Considering the communication from the Minister of State for Presidential Affairs, dated 30 January 1996,

Taking into consideration the communication from the source dated 1 April 1996,

Recalling that, according to the letter from the Minister for Presidential Affairs of 3 October 1995, the facts are as follows: Mr. Saleem was arrested in September 1993 on charges of misappropriation and embezzlement of public funds; he was formally charged under Sections 131, 132 and 143 of the Penal Code, and was found guilty of these offences when employed by the Maldives Airports Authority; in the Court of first instance he was acquitted, but the High Court subsequently reversed his acquittal and convicted him of the said offences; the trial was conducted in open court and Mr. Saleem was represented by a lawyer of his choice,

Recalling that, according to the source, Mr. Saleem was sentenced to five and a half years' banishment,

Recalling that Mr. Saleem was unable to contest the parliamentary elections of 1994 since he was under house arrest; recalling also that the source fears that he may have been prosecuted solely on account of his support of Mr. Ibrahim in the presidential elections of 1993,

Considering that, according to the source, Mr. Saleem was transferred to house arrest around 22 March 1996 and that the source does not have any indication as to how long this measure will be maintained,

Considering that in his communication of 30 January 1996, the Minister of State for Presidential Affairs stated that *"while recognizing that human rights are a matter of international concern and do not stop at national borders, under international law, a case or*

a complaint against a sovereign State cannot be heard unless such a sovereign State has submitted itself to the jurisdiction of the international organization that has received the complaint or is a member State of that organization; that *"the Republic of the Maldives is fully committed to international law and internationally recognized legal principles guaranteeing human rights and fundamental freedoms, including the right to a fair trial"*,

Recalling finally that, in his letter of 3 October 1995, he stated *inter alia* that *"the complaints communicated to the IPU must be considered in the light of the democratic principles that prevail in the country and must be cross-checked thoroughly, verified and substantiated before any action by the Union is taken"*,

1. Thanks the Minister of State for Presidential Affairs for the observations he provided;

2. Regrets, however, that it has received no reply to the specific requests for information and documents submitted to the Maldivian authorities;

3. Stresses once again that the Committee on the Human Rights of Parliamentarians, which serves as an instrument of international dialogue and co-operation and is recognized as such, seeks to defend the human rights of parliamentarians and thus the right of people to participate in the conduct of public affairs and regularly obtains the full co-operation of parliamentary or governmental authorities throughout the world;

4. Trusts, therefore, that the Maldivian authorities, in line with their stated commitment to the internationally recognized human rights principles and their wish that all information conveyed to the Committee be thoroughly cross-checked and verified, will respond more fully to the Committee's and the Council's concerns as expressed in their previous resolutions on the matter and will supply the requested documents, namely:
   (i) A copy of the judgment of the Court of first instance and of the High Court ruling;
   (ii) A copy of Sections 131, 132 and 143 of the Penal Code;

5. Notes that Mr. Saleem has reportedly been placed under house arrest and infers from this that the sentence of five and a half years' banishment handed down on him is not being applied;

6. Wishes to ascertain the current situation of Mr. Saleem, in particular whether he has indeed again been placed under house arrest, the legal grounds for such a measure and the length of time for which it has been imposed;

7. Cannot but remain deeply concerned at the fact that, having been placed under house arrest in September 1993 and subsequently convicted, Mr. Saleem was unable to exercise the mandate entrusted to him by his electors, who were thus deprived of representation in the Citizens' Majlis, and at the fact that he was prevented from standing in the parliamentary elections of December 1994;

8. Wishes to ascertain the prospects of his benefiting from any clemency measure;

9. Requests the Secretary General to convey these considerations to the Maldivian authorities, inviting them once again to supply the requested information and documents, stressing that should they remain silent it would be compelled to infer that the allegations of failure to respect the human rights of Mr. Saleem are well founded and draw the appropriate conclusions;

10. Also requests the Secretary General also to contact the members of the Citizens' Majlis and to inform them of its concerns;

11. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXVIII

MYANMAR

Parliamentarians still detained:

Case N° MYN/01 - OHN KYAING
Case N° MYN/08 - TIN HTUT
Case N° MYN/10 - WIN HLAING
Case N° MYN/13 - NAING NAING
Case N° MYN/26 - HLA TUN
Case N° MYN/28 - TIN AUNG AUNG
Case N° MYN/36 - MYINT NAING
Case N° MYN/41 - ZAW MYINT
Case N° MYN/42 - MYA WIN
Case N° MYN/50 - WAN MAUNG
Case N° MYN/53 - HLA THAN
Case N° MYN/60 - ZAW MYINT MAUNG
Case N° MYN/71 - KYI MYINT
Case N° MYN/72 - SAW WIN
Case N° MYN/73 - FAZAL AHMED

Parliamentarians deceased:

Case N° MYN/55 - TIN MAUNG WIN
Case N° MYN/66 - WIN KO
Case N° MYN/67 - HLA PE

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) on the above-mentioned elected members of the Pyithu Hluttaw (People's Assembly) of the Union of Myanmar,

Taking into consideration the observations made by a delegation of the Union of Myanmar on the occasion of a meeting with the Secretary General on 27 October 1995 in Geneva,

Also taking into consideration the information transmitted by the sources on 4 and 12 January and 11 March 1996,

Taking account of the information conveyed by the Secretary General of the Thai Inter-Parliamentary Group on 22 November 1995,

Considering that, according to information provided by the Thai Group, the investigations into the murder of Hla Pe are continuing and that the competent Police Station has been instructed by the Royal Thai Police Department to deliver a report every 15 days until the case can be satisfactorily concluded,

Recalling that, according to the authorities, prisoners are entitled to visits from their families and to health care from prison medical officers; that, in the event of emergency or serious illness, arrangements are made for the necessary hospital treatment,

Considering that, according to one of the sources, there are reports of inhuman and degrading treatment, prolonged shackling, lack of proper medical care and insufficient food for both common and political prisoners; that the latter are reportedly not allowed to communicate with one another and are often held in solitary confinement,

Considering that, according to one of the sources, in mid-November, prison officials reportedly began to interrogate Saw Naing Naing (MYN/13) and Dr. Myint (M) Aung (MYN/60) about letters smuggled out of Insein Prison to the United Nations Special Rapporteur on Myanmar; that such letters provided details of ill-treatment and poor conditions in prisons; that prison officials reportedly forced them to sleep on concrete floors without mats or blankets in "military dog cells" - small cells where military dogs are normally kept; that they have also been denied access - usually granted every two weeks - to their families, who provide them with food and medicine; that both MPs-elect are reportedly in poor health and in need of proper medical attention,

Considering that, according to information subsequently provided by one of the sources, Myint Naing (MYN/36) was also among those singled out for such treatment and that the three, together with 18 other political prisoners, were tried again under the Emergency Provisions Act for *"causing or intending to disrupt the morality or behaviour of a group of people or the general public, or disrupting the security or reconstruction of the stability of the Union"*, apparently on account of attempting to pass information about prison conditions to the United Nations Special Rapporteur on Myanmar,

Considering that they were reportedly sentenced to jail terms of five to twelve years each following unfair trials in which they reportedly did not enjoy the right to defence counsel,

Considering that the delegation of the Union of Myanmar, on the occasion of its meeting with the Secretary General, stated that all were free to visit the country and see the situation for themselves,

Recalling that the MPs-elect, members of the NLD who participated in the work of the National Convention, recently walked out of it leaving that body without any representative elected in 1990; recalling in this connection that the authorities have affirmed that the representatives elected in 1990 would be responsible for drawing up the new Constitution,

Considering that Daw Aung San Suu Kyi, leader of the NLD, was released in July 1995 from house arrest and has since been largely restricted in her movements outside Rangoon,

Considering that the United Nations Special Rapporteur for Myanmar, in the report he delivered on the occasion of the 50th session of the United Nations General Assembly, expressed deep regret that during his last visit to the country in October 1995, he had been denied access to any of the political prisoners,

Considering that he expressed concern at the prevalence of a complex array of security laws, including the 1950 Emergency Provisions Act, giving the Government sweeping powers of arbitrary arrest and detention,

Considering that the United Nations General Assembly, at its 50th session, strongly urged the Government of Myanmar to allow all citizens to participate freely in the political process, in particular through the transfer of power to democratically elected representatives,

Noting finally, that the authorities of Myanmar, have remained silent since the Committee's last session in January 1996,

1. Deeply regrets that the authorities have remained silent on the serious allegations submitted to them before the Committee's January session regarding prison conditions in Myanmar and the treatment reportedly inflicted on three MPs-elect for having exercised their right to contact with the outside world;

2. Thanks the Thai National Group for the information it has provided and for its co-operation, and hopes that progress will be made in the investigations into the murder of Hla Pe;

3. Cannot but reaffirm its indignation that, nearly six years after the elections of 27 May 1990, the authorities of the Union of Myanmar continue to ignore the outcome of the election, and insists in this respect that the National Convention convened by SLORC on 9 January 1993 can in no way be regarded as a step towards restoring democracy, particularly since the party that won the 1990 elections is no longer represented in that body, which has therefore forfeited whatever remote tie with the democratic process it might once have possessed;

4. Considers that the National Convention is designed to prolong and legitimize military rule against the will of the people, as expressed in the 1990 elections, and thus stands in direct opposition to the principle established in the Universal Declaration of Human Rights that the "will of the people shall be the basis of the authority of government";

5. Is alarmed at the allegations regarding the treatment inflicted on imprisoned MPs-elect for having tried to establish contact with the United Nations Special Rapporteur on Myanmar, all the more so in view of the fact that the Special Rapporteur was denied access to those prisoners;

6. Firmly recalls in this respect that such reprisals are contrary to resolution 1994/70 of the United Nations Commission on Human Rights;

7. Is outraged at the possibility that they may have been tried under the 1950 Emergency Provisions Act for having attempted to enter into contact with the United Nations Special Rapporteur, as is their right;

8. Wishes to receive the observations of the authorities to these allegations, together with information on the current situation of the MPs-elect concerned and on the trial to which they have reportedly been subjected; also wishes to receive a copy of the judgment, if any;

9. Urges the authorities to grant the United Nations Special Rapporteur on Myanmar free access to all detained MPs-elect on his next visit to the country, if he so wishes;

10. Strongly reiterates its wish to ascertain the place and the exact conditions of detention of the MPs-elect still detained and their state of health;

11. Acknowledges with satisfaction the release of a number of MPs-elect and urges the Government to release the remaining imprisoned MPs-elect unconditionally and immediately;

12. Is convinced that a mission of the Inter-Parliamentary Union would be able to gather objective and precise information on the situation of the MPs-elect concerned on the spot and would without any doubt greatly contribute to progress towards a satisfactory settlement of the case, and earnestly hopes that the authorities of Myanmar will agree to the visit of such a mission, in particular in view of the fact that the authorities assert that all are free to come and see the situation for themselves;

13. Recalls that the Union of Myanmar, a member of the United Nations, is bound to respect the rights established in the Universal Declaration of Human Rights, which is recognized as a general standard on human rights;

14. Requests the Secretary General to convey these concerns to the authorities, inviting them once again to provide the requested information, and to seek their agreement to the visit of the mission;

15. Requests the Secretary General to resume contact with the Thai Inter-Parliamentary Group with respect to the investigations into the murder of U Hla Pe;

16. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XXXIX

Case N° MYN/04 - KHIN MAUNG SWE) MYANMAR
Case N° MYN/09 - SEIN HLA OO)

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) on the case of Khin Maung Swe and Sein Hla Oo, elected members of the Pyithu Hluttaw (People's Assembly) of the Union of Myanmar,

Taking into consideration the observations made by a delegation from the Union of Myanmar at a meeting with the Secretary General on 27 October 1995,

Recalling that U Khin Maung Swe and U Sein Hla Oo were rearrested in August 1994 and subsequently found guilty of writing and spreading false news that could jeopardize State security; that the sources were concerned for their safety in view of reported torture and ill-treatment of detained government opponents,

Considering that, at the meeting on 27 October 1995, the delegation from Myanmar, responding to the Council's concern that *"meeting foreign journalists and diplomats of foreign embassies and sending them news comments against or critical of the Government in order to make foreign governments misunderstand the Government of the Union of Myanmar"* may lead and indeed has led in the present case to criminal conviction, stated that such acts alone may not give rise to criminal prosecution and conviction,

Considering that, according to information provided by the Permanent Representative of the Union of Myanmar to the United Nations Office at Geneva on 13 October 1995, both MPs-elect have access to legal counsel and the name of their lawyer is U Win Maung,

Recalling also that, according to the information provided by the Permanent Representative, Khin Maung Swe and Sein Hla Oo are being treated under the provisions of the Prisons Act; that they have the right to visits from their families; that they are in good health and receive medical care from prison medical officers and that, in the event of emergency or serious illness, hospital treatment is available,

Considering that, according to one of the sources, there are reports of inhuman and degrading treatment, prolonged shackling, lack of proper medical care and insufficient food for both common and political prisoners; that the latter are reportedly not allowed to communicate with one another and are often held in solitary confinement,

Considering that the United Nations Special Rapporteur on Myanmar, in his report to the 50th session of the United Nations General Assembly, expressed deep regret that on his last visit to the country in October 1995 he had been denied access to any of the political prisoners,

Considering that he expressed concern at the prevalence of a complex array of security laws, including the 1950 Emergency Provisions Act, giving the Government sweeping powers of arbitrary arrest and detention,

Considering that, since the Committee's last session in January 1996, the authorities have remained silent,

1. Deeply regrets that the authorities of the Union of Myanmar have thus failed to respond to the repeated requests for information addressed to them in this regard;

2. Is shocked at the reports of inhuman and degrading treatment, prolonged shackling, lack of proper medical care and insufficient food for both common and political prisoners and the practice of solitary confinement of the latter, and wishes to obtain the authorities' views thereon;

3. Recalls that, according to the authorities, U Khin Maung Swe and U Sein Hla Oo are entitled to visits from their families, that they are in good health and that, in general, health care is provided by prison medical officers;

4. Reiterates its wish to ascertain where they are being held, and would appreciate fuller information on their detention, namely how often and under what conditions they may receive visits from their families, whether they may be visited by their legal counsel and, if so, how often and under what conditions, whether they are kept in single or shared cells and how their cells are equipped;

5. Reiterates its wish to ascertain the following:
   (i) Any prospects for their release;
   (ii) What specific acts have been adduced to substantiate the charges of which they were found guilty, bearing in mind that, according to the Myanmar delegation, *"meeting foreign journalists and sending them news comments critical of the Government of Myanmar"* alone could not have led to their criminal conviction for writing and spreading false news that could jeopardize State security;
   (iii) Whether they have availed themselves of their right of appeal, as guaranteed under international human rights norms;

6. Also reiterates its wish to obtain a copy of the indictment and of the judgment handed down against them;

7. Notes that the lawyer of U Khin Maung Swe and U Sein Hla Oo is U Win Maung; however, would also appreciate information allowing it to enter into contact with him;

8. Urges the authorities of the Union of Myanmar to grant the United Nations Special Rapporteur, should he so wish, access to the two MPs-elect concerned on the occasion of his next visit to the country;

9. Recalls that the Union of Myanmar, a member of the United Nations, is bound to respect the rights established in the Universal Declaration of Human Rights, which is recognized as a general standard on human rights, in particular the right to freedom from torture and cruel, inhuman or degrading treatment (Article 5), the right to freedom of opinion and expression (Article 19) and the right to a fair trial (Article 10);

10. Requests the Secretary General to convey these concerns to the Myanmar authorities and seek the desired information from them;

11. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XL

NIGERIA

Case N° NIG/41 - AMEH EBUTE
Case N° NIG/42 - AMADI OKORAFOR
Case N° NIG/43 - REV. MAC NWULU
Case N° NIG/44 - POLYCAP NWITE
Case N° NIG/45 - ABU IBRAHIM
Case N° NIG/46 - BOLA AHMED TINUBU
Case N° NIG/47 - OLAWALE OSHUN

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), on the case of the above-named Senators of Nigeria,

Taking into account the fact that the Permanent Representative of Nigeria to the United Nations Office at Geneva visited the Secretary General on 23 February 1996 and provided him with information and observations of a very general nature,

Taking into consideration the communications from the source received on 17 January and 9 April 1996,

Recalling that Mr. Ameh Ebute, President of the dissolved Senate, and Senators Okorafor, Nwulu, Nwite, Ibrahim and Tinubu were arrested in June 1994 and subsequently charged with conspiracy and treasonable felony, a crime carrying a penalty of life imprisonment, for having reconvened the dissolved Senate and declared General Abacha's régime unlawful; that by order of the Federal Court of Appeal they were released on bail on 22 July 1994; that their trial, originally adjourned until March 1995, was consistently re-adjourned,

Recalling also that, according to the source, the passports of the Senators were impounded, they were ordered to report weekly to police headquarters and domestic travel restrictions were placed on them; that they and their families were subjected to harassment and forced underground; that Senator Tinubu even had to go into exile for fear of his life,

Recalling further that Senator Tinubu is reportedly wanted for conspiracy, sabotage and attempted bombing of an oil facility, a charge he categorically denies,

Considering that, according to the source, the trial against all the Senators except Senator Tinubu was abandoned in November 1995 by the judge, who ruled that there was a lack of evidence and interest from the Government; that, however, the Government reportedly issued a public warning to the Senators not to criticize the Government; that the charges against Senator Tinubu (treasonable felony and sabotage of oil production facilities) have not been dropped, and that he is still wanted,

Recalling that Mr. Olawale Oshun, a member of the dissolved House of Representatives and Secretary of the National Democratic Coalition, was arrested on 19 May 1995 without charge and held incommunicado,

Considering that, according to the information provided by the Permanent Representative of Nigeria to the United Nations Office at Geneva on 23 February 1996, Mr. Oshun has been released,

Considering that on 9 April 1996 the source confirmed this information, adding that the Senators concerned were no longer underground; that, however, they have been warned against pursuing any political activity and in particular against criticizing the Government,

Bearing in mind that the Nigerian authorities contacted by the Committee and Council have neither replied to these bodies' repeated requests for information nor provided the documents requested,

1. Thanks the Permanent Representative of Nigeria to the United Nations Office at Geneva for his co-operation; regrets, however, that the Nigerian authorities from whom information and documentary material were sought have never responded to those requests;

2. Emphasizes in this respect yet again that the Committee's Procedure is based on the principle of dialogue and international co-operation, thus enabling it independently and impartially to cross-check the allegations submitted to it;

3. Notes that the judicial proceedings against Senators Ebute, Okorafor, Nwulu, Nwite and Ibrahim were dropped in November 1995;

4. Expresses concern at the allegation that they were warned against criticizing the Government, and recalls in this respect that Nigeria, as a party to the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, is bound to respect the right to freedom of expression as guaranteed in those instruments;

5. Wishes to ascertain whether their passports are still impounded;

6. Also wishes to ascertain:
   (i) Why the charges of treasonable felony pending against Senator Tinubu have not been dropped;
   (ii) The specific acts held against him regarding alleged sabotage of oil production facilities;

7. Reiterates its wish to obtain a copy of the relevant indictment, if any;

8. Expresses satisfaction that Mr. Olawale Oshun has been released, and wishes to receive documentary confirmation thereof;

9. Nevertheless remains concerned at the allegation that he had been arrested without any charges being brought against him, and at his incommunicado detention;

10. Reiterates its wish to ascertain the grounds for his arrest and detention;

11. Emphatically recalls that Nigeria, as a party to the International Covenant on Civil and Political Rights and to the African Charter on Human and Peoples' Rights, has a duty to respect and protect the rights guaranteed therein; and that these rights include the right of anyone who has been the victim of unlawful arrest or detention to mandatory compensation;

12. Requests the Secretary General to invite the Nigerian authorities once again to supply the desired information;

13. Requests the Committee on the Human Rights of Parliamentarians to continue examining this case and to report to it at its next session (September 1996).

ANNEX XLI

Case N° TG/01 - MARC ATIDEPE)
Case N° TG/02 - TAVIO AMORIN) TOGO
Case N° TG/03 - GASTON AZIADUVO EDEH)

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) concerning the case of Mr. Marc Atidépé, Mr. Tavio Amorin, members of the High Council of the Republic (HCR) of Togo, and Mr. Gaston Aziaduvo Edeh, a member of the Togolese Parliament,

Considering that by letter dated 10 April 1996 the President of the National Assembly informed the Committee that he had transmitted a copy of its request for information to the Government in order to obtain the information sought, which he would convey as soon as it was in his possession,

Considering that no such information has reached the Committee by the time of its 73rd session held in conjunction with the 95th Inter-Parliamentary Conference in Istanbul (14-18 April 1996),

Considering also that the Prime Minister and the Minister of Justice, to whom requests for information were addressed, have remained silent,

Considering the communications from the sources dated 20 October and 27 December 1995 and 30 March 1996,

Recalling that Mr. Atidépé and Mr. Amorin, both members of the High Council of the Republic of Togo, the former transitional legislative body, were assassinated in May and July 1992, respectively; recalling that Mr. Edeh, MP-elect, was murdered in February 1994 and that, according to the sources, there is serious evidence that the murders were carried out by military personnel,

Recalling that Mr. Edeh was kidnapped together with two other members of his party from a car by military personnel and that their charred bodies were later discovered in a car on the outskirts of Lomé,

Considering that, according to one of the sources, one of the persons kidnapped managed to escape and is thus capable of recognizing the authors of the crime; that this person, who is living in exile, has never given testimony - out of fear - but would be prepared to do so,

Recalling that, in September 1994, the present Government authorities affirmed that no effort would be spared *"in seeing that the authors and accessories of these crimes are found and tried in accordance with the law"*; considering that they have consistently affirmed that investigations into these crimes are under way; considering, however, that almost two years later, they have not yet reported on any investigative action or results obtained although the investigations into the murders of Mr. Atidépé and Mr. Amorin have now been under way for almost four years,

Considering that, according to one of the sources, the cabinet reshuffle in November 1995, in which the former Minister of Justice was replaced by a person belonging to the President's faction, is not conducive to the proper conduct of the investigations,

1. Thanks the President of the National Assembly for having passed on the Committee's requests for information to the Government;

2. Deeply regrets that neither the Prime Minister nor the Minister for Justice has replied to the Committee's requests for information;

3. Cannot but infer from this silence that no progress has been made in the investigations into the murders of Mr. Amorin, Mr. Atidépé and Mr. Edeh, a fact which it deplores all the more since, at least in the case of Mr. Edeh, the identity of the killers is said to be well known;

4. Fears, in the absence of any indication that these investigations are progressing, that it will be led to conclude that the competent authorities are reluctant to shed light on these odious crimes and that the Togolese State may thus be considered to share responsibility by omission in the murders of these MPs;

5. Forcefully insists that the Togolese authorities have a duty, under national and international law, to dispense justice and thus to conduct thorough and diligent investigations into these crimes; again presses them to ensure that, in accordance with their assurances, these investigations are carried out promptly and diligently;

6. Repeats its wish to ascertain which authorities are responsible for the investigations;

7. Re-emphasizes that, in accordance with generally accepted standards of human rights, the families of the victims of such tragedies are in any case entitled to adequate material compensation;

8. Forcefully recalls that impunity constitutes a serious threat to democracy and human rights;

9. Requests the Secretary General to convey these considerations to the President of the National Assembly, the Prime Minister and the Minister of Justice of Togo and to any other government official or body that may be able to contribute to progress in this case;

10. Requests the Committee on the Human Rights of Parliamentarians to continue examining this case and to report to it at its next session (September 1996).

ANNEX XLII

TURKEY

Case N° TK/39 - LEYLA ZANA
Case N° TK/40 - SEDAT YURTDAS
Case N° TK/41 - HATIP DICLE
Case N° TK/42 - ZÜBEYIR AYDAR
Case N° TK/43 - MAHMUT ALINAK
Case N° TK/44 - AHMET TÜRK
Case N° TK/48 - SIRRI SAKIK
Case N° TK/51 - ORHAN DOGAN
Case N° TK/52 - SELIM SADAK
Case N° TK/53 - NIZAMETTIN TOGUÇ
Case N° TK/55 - MEHMET SINÇAR
Case N° TK/57 - MAHMUT KILINÇ
Case N° TK/58 - NAIF GÜNES
Case N° TK/59 - ALI YIGIT
Case N° TK/62 - REMZI KARTAL

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996) *

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995) concerning the case of the above-mentioned parliamentarians, members of the Turkish Grand National Assembly (TGNA),

Taking account of the report of the mission of the Committee on the Human Rights of Parliamentarians to Ankara, which took place from 4 to 7 January 1995 (CL/156/11(a)-R.3),

Taking further account of the report of the mission of the Committee to Ankara on 11 and 12 April 1996 (CL/158/13(a)-R.2),

Recalling that on 26 October 1995 the High Court of Appeal confirmed the sentences of Mr. Dicle, Mr. Dogan, Mr. Sadak and Ms. Zana, who are accordingly due to remain imprisoned until the year 2005; considering that in January 1996, an appeal against the decision was brought before the European Commission of Human Rights, which in February 1996 declared the case admissible,

Recalling further that, on the same day, the High Court of Appeal quashed the sentence handed down on Mr. Türk and Mr. Yurtdas, ruling that they should have been sentenced under Article 8 of the Anti-Terrorism Act instead of Articles 168 and 169, respectively, of the Turkish Penal Code; that both were released on 27 October in view of the length of their detention; that the Court also quashed the sentences of Mr. Alinak and Mr. Sakik, ruling that a mistake had been made in establishing the fines, and that all four were to be retried before Ankara State Security Court,

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* The delegation of Turkey expressed its reservation with regard to the report as well as the resolution adopted by the Inter-Parliamentary Council.

Considering that on 11 April 1996 the Ankara State Security Court sentenced them to 14 months' imprisonment and a fine of 116,000,000 Turkish pounds (approx. US$1,590); considering that they have the right to appeal against the decision and will make use of it,

Considering that, as a result of their being sentenced to more than 12 months' imprisonment under the Anti-Terrorism Act, they will forfeit their political rights for life and that two of them, Mr. Alinak and Mr. Yurtdas, who are lawyers, will be banned for life from exercising their profession,

Considering finally that Mr. Türk, Mr. Yurtdas and Mr. Sakik contested the parliamentary elections of December 1995 on a HADEP ticket; that despite the many serious obstacles put in the way of their electoral campaign, they and their party obtained excellent results in south-east Turkey, though failing to secure seats in Parliament owing to the national-level threshold of 10 per cent,

1. Expresses its thanks and appreciation to the Turkish authorities, especially the President of the Turkish National Group and the Minister of Justice, for having enabled the Committee on the Human Rights of Parliamentarians to carry out a mission to Ankara on 11 and 12 April 1996 and, in particular, for having authorized its delegation to meet the imprisoned MPs for long enough and without witness; also thanks them for having taken time to meet with the members of the delegation and share their views with them;

2. Fully endorses the Committee's conclusions regarding the mission it carried out to Ankara on 11 and 12 April 1996;

3. Hopes that the Turkish authorities will be able to take account in the most positive spirit of the concerns and considerations as expressed in the Committee's conclusions;

4. Requests the Secretary General to resume contact with the Turkish parliamentary authorities;

5. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XLIII

Case N° TK/64 - IBRAHIM AKSOY - TURKEY

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996) *

The Inter-Parliamentary Council,

Having before it the case of Mr. Ibrahim Aksoy, a member of the Turkish Grand National Assembly, which has been the subject of a study and report of the Committee on the Human Rights of Parliamentarians, in accordance with the *"Procedure for the examination and treatment by the Inter-Parliamentary Union of communications concerning violations of human rights of parliamentarians"*,

Taking note of the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), which contains a detailed outline of the case,

Also taking note of the report of the mission of the Committee on the Human Rights of Parliamentarians ((CL/158/13(a)-R.2) to Ankara on 11 and 12 April 1996,

Considering that Mr. Aksoy was elected in 1987 on an SHP (Social Democratic Popular Party) ticket; that he was later expelled from that party and founded together with other MPs the HEP (People's Workers Party),

Considering that he remained a member of the Turkish Grand National Assembly (TGNA) until 1991,

Considering that on 18 May 1991, while he was still a parliamentarian, the State Security Court of Konya instituted proceedings against him under Article 8, para. 1, of the Anti-Terrorism Act for propaganda against the indivisibility of the State in a speech given on 18 May 1991 at an HEP party congress in Konya,

Considering that in March 1994 the Court convicted him of that offence and sentenced him to 20 months' imprisonment and a fine of approximately 42 million Turkish pounds; that in July 1995, while Mr. Aksoy was abroad, this judgment was confirmed by the Ninth Chamber of the Court of Cassation,

Considering that, on his return to Turkey in October 1995, Mr. Aksoy was immediately arrested at the airport and that a German parliamentarian travelling with him was prevented from accompanying him any further and denied any information as to where he was to be taken,

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* The delegation of Turkey expressed its reservation with regard to the report as well as the resolution adopted by the Inter-Parliamentary Council.

Considering also that, according to the source, following the adoption of an amendment to Article 8 of the Anti-Terrorism Act on 27 October 1995, Mr. Aksoy's trial was reviewed, resulting in a reduction of his sentence to 10 months' imprisonment,

Considering that Mr. Aksoy is currently held in Ankara State Security Prison (Ulunçalar Prison), where the Committee's mission was able to meet him,

Considering that the source fears that Mr. Aksoy has been prosecuted and convicted solely for having exercised his right to freedom of expression,

1. Fully endorses the conclusions of the Committee on the Human Rights of Parliamentarians regarding its mission to Ankara on 11 and 12 April 1996;

2. Wishes to receive a copy of the judgment whereby Mr. Aksoy was sentenced to 10 months' imprisonment;

3. Requests the Committee on the Human Rights of Parliamentarians to continue examining the case and to report to it at its next session (September 1996).

ANNEX XLIV

REPORT OF THE DELEGATION OF THE COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS TO ANKARA REGARDING THE CASE OF*

LEYLA ZANA	FORMER DEPUTY FOR DIYARBAKIR
SELIM SADAK	FORMER DEPUTY FOR SIRNAK
SEDAT YURTDAS	FORMER DEPUTY FOR DIYARBAKIR
HATIP DICLE	FORMER DEPUTY FOR DIYARBAKIR
MEHMET SINÇAR	FORMER DEPUTY FOR MARDIN
MAHMUT ALINAK	FORMER DEPUTY FOR KARS
AHMET TÜRK	FORMER DEPUTY FOR MARDIN
ORHAN DOGAN	FORMER DEPUTY FOR SIRNAK
SIRRI SAKIK	FORMER DEPUTY FOR MUS
IBRAHIM AKSOY	FORMER DEPUTY FOR MALATYA

11 AND 12 APRIL 1996

A. MANDATE AND COURSE OF THE MISSION

At its 72nd session, held in Geneva from 22 to 26 January 1996, the Committee expressed the wish to pursue with the Turkish authorities, on the occasion of its 73rd session to be held in conjunction with the 95th Inter-Parliamentary Conference in Istanbul, the dialogue it had initiated during the mission to Turkey in January 1995, regarding the cases of the above former MPs. It also attached particular importance to meeting with the former MPs themselves. The Committee expressed its preference for such a visit to take place prior to its Istanbul session, on 11 and 12 April 1996. It designated its Vice-Chairperson, Senator Hugo Batalla, and the Hon. Clyde Holding as members of such a delegation, to be accompanied by the Committee's Secretary Ms. Schwarz and two interpreters.

On 6 March, the Turkish authorities agreed to the visit, which consequently took place on 11 and 12 April 1996.

The delegation was able to meet with the Minister of Justice, Mr. Mehmet Agar. The meeting originally scheduled with the President of the Turkish National Group, Mr. Irfan Köksalan, proved impossible owing to his engagements in connection with the 95th Inter-Parliamentary Conference in Istanbul and finally took place during the Committee's session in Istanbul. The requested meeting with the Minister or Minister of State for Human Rights did not take place since the newly established Turkish Government does not comprise such a post.

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* When this report was presented to the 158th session of the Inter-Parliamentary Council (Istanbul, 20 April 1996), the Turkish delegation expressed reservations with regard to its content.

The delegation was further able to meet with the following persons:

- Ms. Leyla Zana, Mr. Hatip Dicle, Mr. Orhan Dogan, Mr. Selim Sadak and Mr. Ibrahim Aksoy at Ulunçalar Prison (Ankara State Security Prison)
- Mr. Ahmet Türk and Mr. Sirri Sakik
- Mr. Yusuf Alatas, lawyer of the former MPs concerned
- Mrs. Cihan Sinçar

The delegation wishes to thank the Turkish authorities for enabling it to carry out this visit. It wishes in particular to thank the Minister of Justice and the President of the Turkish IPU Group for sharing their views with the delegation. It is especially appreciative of the fact that the delegation was authorized to meet the former MPs concerned in prison for a sufficient length of time without the presence of any witness.

B. SUMMARY OF THE DISCUSSIONS

1. Minister of Justice

The discussion started with the delegation recalling the IPU's and the Committee's concern at the situation of the MPs in question in particular as regards their expulsion from Parliament and the closure of their party. The delegation pointed out that IPU's concerns were shared by the European Union and the Council of Europe. In view of the fact that the case of four of them (Zana, Dicle, Dogan and Sadak) is currently pending before the European Commission of Human Rights, the delegation wished to ascertain the possibility of their being released pending the procedure before that international jurisdiction. It also wished to ascertain the stage reached in the investigations into the murder of Mr. Sinçar in September 1993. Finally, it expressed the wish to be able to meet with the imprisoned former MPs in the most unrestricted way.

In response to this, the Minister stressed that the Turkish judiciary was independent and that its verdict could not be called in question by anybody, including the Government. In this connection, he qualified the Turkish judges as "the safest public servants". He regretted that former MPs were imprisoned, but MPs, as lawmakers, should know that they have to abide by the law. He added that "*we would like no guns to be used and people to stop treading the wrong path*". In this connection he stated that there were no problems with legally organized bodies: "*People should voice their views democratically; the Constitution makes this possible at the political level.*"

He also referred to the current military offensive in the south-east of Turkey, stating that there was a misunderstanding: military measures were necessary since a democratic country had to safeguard its citizens and the indivisibility of its territory. No country could tolerate armed attacks. In this connection, he underlined the geo-strategic importance of Turkey and the importance of peace in the region for peace in Europe. He said that the Government made all possible efforts to solve the situation. Turkey had made its choice, namely that of a complete integration into Europe as a democratic and secular State. His Ministry was working hard on drafting new legislation consistent with European standards and likely to improve the situation.

He stated further that the problem in the south-east was one not of law and order but of economic and social order. He stated that a programme of economic reforms was being carried out in the south-eastern parts of Turkey, e.g. one of the country's biggest hydroelectric schemes. Economic growth in the region would ultimately bring about the solution of many problems existing in the region. One must be patient and fight patiently for the realization of human rights. One must find a solution shared by the people living in the region.

As regards the delegation's question whether the former MPs might be released pending the procedure before the European Human Rights Commission, he stated that this was impossible under the prevailing law. However, the MPs concerned had every opportunity of preparing their defence.

Regarding progress in the investigations into the murder of Mr. Sinçar, he said that the identity of the murderer had been established. However, that person, who was a member of the fundamentalist "Hezbollah", was currently living in Iran.

After authorizing the full delegation to visit the former MPs in prison, including the Committee's Secretary and Mr. Batalla's Aide de Camp, he stated that the visit would take place in the most liberal way. He stressed that this was a special authorization, given the fact that normally only relatives were allowed visits.

2. Meeting with the President of the Turkish National Group, Mr. Irfan Köksalan

For the reasons given earlier, the meeting with the President of the Turkish National Group took place during the Committee's session held in conjunction with the 95th IPU Conference in Istanbul.

The delegation first made a point of clearly voicing its rejection of terrorism. It then asserted that the former MPs were, by virtue of their mandate, bound to represent the views of their constituents and, as representatives of south-east Turkey, they had a duty to raise the problems affecting that part of the country in Parliament, which they regarded as the appropriate forum for working on a political solution to the conflict. The delegation also stressed its view that Turkish citizens of Kurdish origin should fully enjoy their cultural rights and be able to hand down their culture and language to their children. It asserted its views that such demands were not tantamount to separatist claims; a political solution to the "Kurdish question" could only stem from negotiations with democratically elected MPs of Kurdish background. That would be difficult to achieve, the delegation said, if prospective participants in such negotiations were given harsh and oppressive sentences.

The President of the Turkish National Group stated that ten years previously there had been no Kurdish problem. Only with the emergence of the PKK had problems arisen. He pointed out that about a third of the members of the TGNA had always been of Kurdish origin, that he had campaigned for the last elections together with people of Kurdish origin and that out of the 32 Ministers serving in the current Government, seven were of Kurdish origin. *"Our people of Kurdish origin"*, he said, *is not a minority"*. There was no difference between them and himself. They had the right to exercise their political and economic rights and enjoyed all their cultural rights. They could wear their colours, though not in Parliament. Nobody was prosecuted for speaking Kurdish. Kurds could marry

according to their traditions and could celebrate the Newroz feast; in one instance the former Prime Minister Ciller even celebrated it with them. There was a confusion as to the real meaning of minority and cultural rights, a conceptual confusion.

He then referred to the oath-taking ceremony when Parliament convened for the first time after the 1991 elections and said that the MPs in question all arrived with the Kurdish colours displayed somewhere on their outfit, that they took their oath in Kurdish and only took it in Turkish after being warned by the Chairman, the MP of the longest standing, himself of Kurdish origin. It was the Social-Democratic Party under the presidency of Mr. Inönü which had made their entry into Parliament possible. He had seen the extent of Mr. Inönü's suffering and humiliation that day. However, all that was no justification for prosecuting or detaining those MPs.

He then said that the 450 and now 540 MPs of the TGNA were representatives firstly of the Nation as a whole and secondly of their region. He was from the rural parts of Ankara and knew that economic assistance to the south-east was far in excess of that granted to other regions of Turkey, while machines were destroyed, schools burned, and teachers killed as a result of PKK terrorism. In his constituency, an officer or a soldier was lost daily in the conflict. At the funerals their own people had shouted at them: "The PKK is in Parliament".

He continued by stating that the MPs concerned had been mostly absent from the parliamentary sessions. According to the rules, a member absent at five sessions in a month would be questioned by the President, who had nevertheless not exercised that right. Only a minority of them attended the sessions, put questions and proposals to the Government. Ministers answered and troubles arose, with MPs attacking each other physically so that sometimes the Ministers themselves had to separate them. Those were the difficulties they faced in Parliament.

Then the judiciary took over. The issue was not a mere political one, it was an issue of the survival of Turkey, it was a separatist issue fuelled by external forces. The judiciary had given its verdict. The case was now before the European Commission of Human Rights. As a signatory to the European Convention on Human Rights and the individual complaints procedure, Turkey was bound by a decision of the Court and would respect it. *"Turkey will do whatever is necessary in view of our membership in that organization."*

Finally, responding to a question of the delegation, he stressed that the different sentences handed down on the MPs concerned, who had all originally been prosecuted for treason and separatism, crimes carrying the death penalty, was the best proof of the independence of the Turkish judiciary, which decided only on the basis of firm evidence.

3. Meeting with the former MPs

(a) Meeting with those imprisoned

The delegation was able to meet with Ms. Leyla Zana, Mr. Hatip Dicle, Mr. Orhan Dogan, Mr. Selim Sadak and Mr. Ibrahim Aksoy at Ulunçalar Prison (Ankara State Security Prison ?) between approximately 11 a.m. and 2 p.m. without any witnesses being present. The meeting took place in a small courtyard adjacent to the kitchen which the

MPs concerned may use. The delegation did not see the cells which they share. It was informed that Ms. Zana was being held in separate quarters within the prison.

The delegation wished in particular to ascertain their present conditions of detention and to hear their views on the possible outcome of the proceedings still under way.

Conditions of detention

They stated that they had no particular complaints about their conditions of detention. They spent most of the day inside and part of it outside in the courtyard. They were allowed to buy and cook their own food. Once a week they were able to meet their families, but in "closed meetings". Ms. Zana said that her husband had been released in January and was now living in England. Her two children were living in France. On one occasion, when her elder son was visiting her, he was detained for some time without any reason known to her. She is not authorized to telephone her children or her husband. None of them was allowed to make telephone calls.

They stressed that their conditions had become acceptable and recalled in this respect that they had been held, during their first five and a half months of detention in a cell measuring 30 square metres without any of the facilities they now enjoyed, such as a toilet and a kitchen. It was only due to international pressure, in particular from a counsellor of Mr. Clinton, that their conditions had changed.

Observations regarding the past trial and proceedings before the European Human Rights Commission

As regards their views on the possible outcome of the judicial proceedings still pending, they started by referring to the atmosphere in which their trial had taken place and stressed in this respect that, since becoming MPs in October 1991 till the end of their trial and even after, they had been the target of a Government-instigated campaign. They were described as terrorists, murderers and people aiming at a division of the State. They had already been judged even before the start of the trial.

For that reason alone their trial had been unfair. In addition, no evidence for the allegations put forward by the Court had been given and the defence evidence had not been investigated. The accusations were only linked to political actions and declarations and opinions expressed in Parliament. The State knew perfectly well that the DEP and they themselves had no organic link with the PKK. In addition, the judgment was not handed down by an independent court since one of the three persons sitting on the court was a military officer. In that connection, they stated that the new Minister of Justice had declared his intention to re-create 63 such courts. They stated further that most of the prosecution witnesses were members of village guards, made up of confessors. One of those had killed eight soldiers and a prosecutor. In spite of having been sentenced to life imprisonment, he had been released upon the intervention of the then Prime Minister. Being questioned about the use of tapped telephone conversations as prosecution evidence, they stated that this evidence had been rejected by the Court. They further pointed out that the decision of the Cassation Court had been announced on TV by the Head of the Armed Forces, General Dures. They also pointed to the discriminatory treatment inflicted upon them: while the murderers of 37 persons killed in Sivas in July 1993 also sentenced to 15 years' imprisonment were released after only four years, they still had nine years to serve.

They felt that the State, by instituting the trial against them, wanted to intimidate future candidates for election to the TGNA in the region. It also sought to prevent them from publicizing through their activities as MPs - nationally and internationally - the anti-democratic behaviour of the State.

As regards the proceedings before the European Human Rights Commission, they reported that at the end of February 1996, the Commission had declared the case admissible. The Turkish Government was now bound to provide its observations within 90 days. They believe that the Commission, whose decision is not binding, will suggest a gentleman's agreement. Since, in their view, the Turkish Government will not agree to this, the case will be brought before the European Court of Human Rights.

General observations regarding the "Kurdish question"

The MPs reiterated that the Turkish State, over the past 70 years, had been unable to solve the Kurdish question. The Turkish State was carrying out a policy of assimilation. If a Kurd in Turkey said that he was a Turk, he had no problem and could even become a Minister. However, if a Kurd said that he was a Kurd and claimed rights deriving from national and international norms, he or she was considered guilty. Kurds were not allowed to use their language, to practise their culture, to live with their history and to exercise their political rights. In recent years, political parties established by Kurds, such as HEP, OZDEP, DEP and DDP, had been banned because they publicly raised the Kurdish question. HADEP, the successor party of DEP, was under strong pressure and threatened with closure. More than 100 people belonging to the leadership of the above parties had been assassinated without their murderers ever being identified. Kurds were unable to set up associations. Whenever Kurds sought to assert their identity, they were treated as separatists. The PKK was a result of that policy. Had there been a dialogue, the PKK would not exist. If there was no support from the population, the PKK would not exist. The PKK was the most radical fringe of the Kurdish population fighting for recognition.

They told the delegation that when they first became MPs, the Kurdish colours (red, green and yellow) were banned in the region with a special decree replacing the green of the traffic lights by blue. They introduced the Kurdish colours into Parliament simply by means of their clothing, while the propaganda said that Turkish MPs had taken the Kurdish flag to Parliament.

The State's policy towards the Kurds was one of violence: in the past five years, 3,000 Kurdish villages had been burned and 4,000 civilians had been killed. 53% of the budget was devoted to the war in the south-east.

The new Prime Minister Yilmaz had stated that unless the Kurdish question was solved, no other problem could be solved. However, they were uncertain of his intentions since the policy of assimilation was still continuing.

Political demands

As regards their political demands, Ms. Leyla Zana stated that they were not questioning the boundaries of Turkey: "*At a time of globalization, why should we want to shut ourselves up in a small State* ?" Their ideal was a federal system, a system comparable to that of Belgium. The Constitution should be modified so as to secure the recognition of

the Kurds therein. Kurdish children should have the right to be taught their language; their cultural rights should be recognized; Kurds should be part of Parliament with their identity; they should have the right to create parties and associations; local government should be reinforced; the governors and local security chiefs should be elected. It should be possible to say without ending up in jail: *"I am of Turkish nationality, but I do not belong to the same ethnic group."*

Situation of Mr. Aksoy

Mr. Aksoy stated that he had been sentenced under Article 8 of the Anti-Terrorism Act for what he had said and written. He had been sentenced by the State Security Courts of Konya and Istanbul. Konya had sentenced him to 20 months and Istanbul to 24 months in jail. During his imprisonment, on 17 November 1995, the judgment of the Konya Court was reviewed owing to the modification of Article 8 and his sentence was reduced to 10 months. On 30 November 1995, the Istanbul Court reviewed its first judgment and stated that its former judgment was no longer applicable and that he should be released. Thus, two different sentences based on the same law had been handed down on him.

He referred to one of the offending statements. As Secretary General of HEP, at the time when he was MP, he had said in a speech delivered in Konya that HEP was the party of the oppressed. Asked whether the HEP was therefore the party of the Kurds, he had answered: *"if the Kurds are oppressed, we are also the party of the Kurds."*

(b) The meeting with Mr. Türk and Mr. Sakik

Mr. Türk and Mr. Sakik echoed what their imprisoned colleagues had said, namely that they had no intention of dividing the country; they strove for the recognition of the Kurdish language, culture and identity; they did not belong to any armed organization and they had consistently condemned violence.

They pointed out, in particular, that at the beginning they had been eight MPs, all accused of the same crime of separatism and treason, and that the Prosecutor had demanded the death sentence. Four of them had finally been sentenced to 15 years' imprisonment and four to 14 months' imprisonment despite the similarity of their situations and the evidence against them. For example, the appeal addressed to the United Nations Office in Ankara had been signed by all of them. In their view, this showed the purely political nature of the judgment.

They stated that since the inception of the Turkish State, no political decision had been taken without the approval of the military. No proposal from the National High Security Council had ever been turned down.

Despite the pressures and threats against them, both had stood as candidates in the December 1995 elections. Both had won a majority of the votes in their respective constituencies although prevented from campaigning. Mr. Sakik was shot at on his first visit to his constituency, as a result of which he did not return. Mr. Türk reported that he had decided not to travel to his constituency on learning that the villagers were threatened with the burning of their village should they vote for him. Both stressed that, despite these obstacles, their party had won a majority in the region.

4. Meeting with Mr. Yusuf Alatas, lawyer of the MPs concerned, except Mr. Aksoy

Mr. Alatas stated that, on 17 January 1996, all judicial remedies at the national level having been exhausted, he had submitted an application to the European Commission of Human Rights, regarding the judgment handed down on Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak. The application is based on Articles 3 (freedom from torture and ill-treatment), 5 (right to liberty and security of the person), 6 (fair trial), 9 (freedom of thought), 10 (freedom of expression), 11 (right to freedom of association) and 14 (prohibition of discrimination) of the European Convention on Human Rights. He pointed out that in 1987 Turkey had ratified the individual complaints procedure and accepted the jurisdiction of the European Court of Human Rights. Turkey was therefore obliged to abide by a decision of the Court, which was binding. However, apart form political pressure, in particular from Council of Europe countries, there was no mechanism obliging Turkey to carry out a decision of the Court. He felt that if the MPs concerned were released owing to a decision of the European Commission or Court, this would constitute an encouragement for all those believing in the need for change.

As regards the trial of Mr. Türk, Mr. Yurtdas, Mr. Alinak and Mr. Sakik, he informed the delegation that at a hearing held in the morning of 11 April, the Court had handed down its judgment, sentencing the four former MPs under Article 8 of the Anti-Terrorism Act to 14 months' imprisonment and a fine. Any sentence under this Article exceeding 12 months' imprisonment entailed permanent loss of political rights and the right to exercise certain professions, such as that of a lawyer. Therefore, the convicts were deprived for the rest of their lives of their political rights, thus being unable to stand in elections; and Mr. Alinak and Mr. Yurtdas, who were lawyers, were banned from exercising their profession for the rest of their lives. In this connection, he pointed out that the Court had the right to reduce a sentence by a sixth. Had it made use of that right, the convicts would have been sentenced to less than 12 months and thus have retained their political rights. Mr. Alatas will appeal against this decision to the Court of Cassation.

He quoted from the Court transcript of two offending statements made by Mr. Türk and Mr. Sakik in which they both stressed their acceptance of the integrity and indivisibility of the Turkish State. (Mr. Sakik: "*I see the country as a unity where coexistence is possible; a country where everybody can live in democratic conditions and we want everybody to be able to do that. I want to live in unity and peaceful coexistence together with Turks.*" Mr. Türk: "*I believe, that the Kurdish problem can be discussed in a democratic context and also that our relations can be peaceful. As I said in many speeches: if we are unable to discuss, a solution will not be found and Turkey's future will be dark*").

Mr. Alatas reported also that the Court had considered as offending an appeal to the United Nations Office in Ankara calling for an end of the state of emergency in the south-east, signed in 1992 by many, including the MPs concerned, as well as an appeal to the OSCE regarding the burning of villages.

Moreover, referring to the administration of evidence by Ankara State Security Court, he told the delegation that a request of the Court to produce two witnesses detained in prison was refused by the prison in question, the prison officials stating that the detainees concerned were away on a "special mission".

Furthermore, he referred to the judgment regarding Mr. Alinak in which the Court stated that such a thing as the Kurdish language did not exist. *"If one deduced all Turkish words from Kurdish, there remained only 250 words."*

Mr. Alatas further expressed his apprehension as to the appointment of Mr. Agar as Minister of Justice. Mr. Agar had before been Director of the Police and the Security and as such responsible for the miscarriage of justice, among others in the case of the many killings of the leaders of Kurdish parties. He expressed his fear that the conditions of detention of Ms. Zana etc. might become more severe and that they might be separated and sent to prisons in different parts of the country.

5. Meeting with Mrs. Cihan Sinçar

Mrs. Sinçar stated that her husband had been elected in 1991 as deputy for Mardin. Originally, the population had asked his father to stand for election. However, in view of his age, he had refused and asked his son to be a candidate. Her husband, who wanted to serve his electorate, had spoken in the TGNA of the burning of villages, killings of people and destruction of cattle. Twenty days before he was killed, the police came three times to his father's home, where she was living at the time with her three children, and searched the house. The last time, they took Mr. Sinçar's father, then aged 80, to the police station and told him to dissuade his son, who was staying in Ankara, from returning to the region. They told him that his son would meet the same fate as his two brothers, who had joined the PKK and both been killed. The police released his father after holding him for seven days in custody.

When two members of the HEP were shot in Batman, her husband decided to go there. He first went to Diyarbakir together with a friend, the brother of one of the persons killed. On their arrival by plane, the police were there and took the friend away. The police were accompanied by a "confessor". Mr. Sinçar then went to the police to find out what had happened to his friend. There, he again met the same "confessor" together with a colleague. The next morning, her husband went to Batman. He talked to her by telephone and gave her his telephone number; it was their last conversation. At about 5 p.m. the wife of Mr. Ahmet Türk called her to tell her that her husband had been killed. Mrs. Sinçar stated that her husband had been shot ten times in one of the main streets and that he had been left for half an hour on the pavement. Eye witnesses reported that he had been shot by four masked people. One of them had come very close to her husband. The post-mortem revealed that one of the shots had been fired at a range of 5 cm only. She stressed that, although the murder had been committed in broad daylight and in a place with a usually heavy police presence owing to the state of emergency in the region, and although there was a police station 100 m from the place of the crime, no police had been in the vicinity when her husband was killed. She herself had previously visited Batman and immediately been surrounded by police.

She stated that for three years she had received no information about the investigations into the murder of her husband. She did not believe that the Hezbollah had killed her husband; the organization had expressly denied any involvement in the murder.

As regards financial compensation, she stated that for one year she had received nothing. Now she was receiving 20 million Turkish pounds (US$ 275) a month. She was not entitled to any retirement benefits. The director of the TGNA's retirement fund had told her that she was not entitled to draw any benefits from the fund since her husband had not served a full two years as an MP and no authorization to the contrary had been issued by the President of the TGNA.

She reported that she had stood for election in December 1995 on a HADEP ticket despite receiving many death threats. She had won a majority of votes in Mardin. However, owing to the 10% national-level threshold, she could not enter Parliament. She was now working for HADEP in a leading position.

6. Final remarks of the delegation as endorsed by the Committee on the Human Rights of Parliamentarians

1. The Committee is gratified to note that the conditions of imprisonment are acceptable and that the former MPs themselves consider them satisfactory. It nevertheless notes with concern that Ms. Zana, whose family is now living abroad, may not telephone her children and that, on one occasion, one of her sons who visited her in prison was briefly detained and that she does not know why. The Committee strongly hopes that family members exercising their right to visit the MPs in prison will not be intimidated in any manner and that ways will be found of enabling Ms. Zana to maintain contact with her children, if only by telephone.

2. The Committee noted with great interest that, according to the Minister of Justice, there were no problems with legally organized bodies and that *"People should voice their views democratically; the Constitution makes this possible at the political level."* It cannot but stress that the former DEP deputies were democratically elected; that three of them who were able to stand for re-election in December 1995 obtained many votes in their constituencies, despite the many obstacles to their campaign. The Committee notes that the former MPs did not belong to any separatist organization and they recognize their Turkish citizenship. In the opinion of the Committee, the former MPs were voicing their views and that of their electorate democratically. It therefore wonders what in the eyes of the Turkish Government constitutes democratic expression permitting Turkish citizens of Kurdish background to raise and discuss matters relating to the assertion of Kurdish cultural identity and the many human rights violations being committed in south-east Turkey.

3. The Committee is unable to dispel its concerns regarding the fairness of the trial, in particular the right of the defence to present its case and the administration of evidence. It notes, however, that the case of Ms. Zana, Mr. Dicle, Mr. Dogan and Mr. Sadak is pending before the European Commission of Human Rights. It notes in this respect the clear stand of the President of the Turkish National Group as to Turkey's obligation to abide by a decision of the jurisdiction established under the European Convention on Human Rights.

The Committee also notes decision N° 40/1995, adopted by the United Nations Working Group on Arbitrary Detention, whereby the detention of the MPs concerned was declared arbitrary, and the fact that the Working Group requested the Government of Turkey to take the necessary steps to remedy the situation in order to bring it into line with the provisions and principles incorporated in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights.

It hopes that the MPs concerned may be released pending the proceedings of the European Commission of Human Rights.

4. It notes that Mr. Türk, Mr. Yurtdas, Mr. Alinak and Mr. Sakik were sentenced, on 11 April 1996, at the close of their re-trial before Ankara State Security Court, to 14 months' imprisonment under Article 8 of the Anti-Terrorism Act for separatist propaganda. It notes with great concern that as a consequence of their being sentenced to a prison term exceeding 12 months, they will be deprived of their political rights for life and that Mr. Alinak and Mr. Yurtdas, who are both lawyers, will be debarred for life from exercising their profession. It also notes in this connection that the judge had the right to reduce the sentence by a sixth, which would have been brought down to under 12 months and therefore would not have had the same consequences.

The Committee considers that owing to these consequences the sentences become harsh and oppressive, which seems to reflect a deliberate attempt to prevent these former MPs from engaging in any future political activity. It nevertheless notes that they have the right to appeal against the decision and that they will exercise it.

5. It notes that the eight former MPs all were indicted under Article 125 of the Turkish Penal Code, which states that "*any person who carries out any action with the aim of bringing all or part of the territory of the Turkish State under the sovereignty of a foreign State or to separate any part of the territory from the control of the Turkish State, shall be punished by death*". It notes also that the evidence brought against them in their trial was essentially of the same nature. Nevertheless, four of them were found guilty of belonging to a terrorist organization and four of conducting separatist propaganda. It notes that, in the view of the authorities, this illustrates the independence of the Turkish judiciary while, in the eyes of the deputies, the characterization of the crimes and the convictions delivered responded more to political than to legal considerations.

The Committee cannot but express its perplexity at the considerable differences that exist between the sentences handed down on each of the MPs in respect of similar charges and prosecution evidence.

6. The Committee expresses concern that the MPs concerned may have been prosecuted for having exercised their right to freedom of expression, as guaranteed under Article 10 of the European Convention on Human Rights. It notes in this respect that the European Parliament recommends the suppression of Article 8 of the Anti-Terrorism Act.

7. Finally, the Committee notes that the murderer of Mr. Sinçar has been identified; that, however, he is no longer in Turkey. It deeply regrets once again the circumstances of Mr. Sinçar's murder, which was perpetrated in broad daylight in a region with a usually heavy police presence, and that, despite the authorities' frequent assertions that the police had identified the culprits and even, in one instance, apprehended the look-out man, the police were unable to arrest the killer. The Committee also hopes that the Turkish Parliament will be able to make an exception and provide retirement benefits to Mrs. Sinçar.

ANNEX XLV

Case N° TK/56 - FEHMI ISIKLAR - TURKEY

Resolution adopted without a vote by the Inter-Parliamentary Council at its 158th session (Istanbul, 20 April 1996)

The Inter-Parliamentary Council,

Referring to the outline of the case, as contained in the report of the Committee on the Human Rights of Parliamentarians (CL/158/13(a)-R.1), and to the resolution adopted at its 157th session (October 1995), on the case of Mr. Fehmi Isiklar, a former member of the Turkish Grand National Assembly (TGNA),

Recalling that Mr. Isiklar was the President of the People's Labour Party (HEP) when elected in October 1991 on an SHP ticket (Social-Democratic Party), the HEP having been barred from the elections; recalling that he resigned from the HEP and joined the SHP; that he was subsequently elected Vice-President of the Turkish Grand National Assembly,

Recalling that he was no longer a member of the HEP when the action for dissolution of that party was brought before the Constitutional Court on 3 July 1992,

Recalling that Mr. Isiklar was deprived of his parliamentary mandate following the decision of the Constitutional Court on 14 July 1993 to close down the HEP, and that the decision was reportedly prompted by a statement by Mr. Isiklar when still President of the HEP that: *"The HEP wants a peaceful solution to the Kurdish question within the boundaries of Turkey. The HEP struggles for wilful coexistence of the people in Turkey. The HEP is against separatism"*,

Recalling that Article 84, paragraph 3, of the Constitution established that: *"The membership of a deputy whose acts and statements are cited in a judgment of the Constitutional Court as having caused the dissolution of a political party and that of other deputies who belonged to the party on the date when the action for dissolution was brought, shall end on the date when the Presidency of the Grand National Assembly of Turkey is notified of the dissolution order"*,

Recalling that the Constitutional Court was under no legal obligation to hear Mr. Isiklar and that it indeed decided not to hear him,

Considering that, on 23 July 1995, the TGNA adopted an amendment to that article whereby the TGNA membership of all deputies belonging to a political party dissolved by the Constitutional Court would not be annulled automatically and that only the membership of those deputies who by their activities had caused the dissolution of their

political party would be annulled; considering also that an amendment to Article 149 provides that in cases regarding the permanent dissolution of a political party, the Constitutional Court, after listening to the Attorney General of the High Court of Appeal, shall hear the leader of the party whose dissolution is demanded, or any proxy appointed by that leader,

Recalling that, in the view of the former President of the Turkish National Group, the HEP could not have been dissolved under the new provisions since only individual MPs can now be held responsible for their statements and not the party; that, however, at the request of former MPs concerned by the amendment, the Constitutional Court had decided that it could not be applied retroactively,

Recalling therefore that Mr. Isiklar was unable to regain his seat in the TGNA,

Considering that Mr. Isiklar did not stand for election in December 1995,

Considering that no allegations have been made regarding threats to his personal security,

1. Deplores the fact that Mr. Isiklar was deprived of his mandate under former Article 84, paragraph 3, for having, when President of the HEP, made a statement cited in the judgment of the Constitutional Court as grounds for dissolving the HEP;

2. Deeply regrets that the Constitutional Court at the time was under no legal obligation to hear Mr. Isiklar and indeed decided not to hear him;

3. Stresses that anybody accused must have the right to be heard and that circumventing this rule by shifting the accusation from the individual to his or her party amounts to a violation of Mr. Isiklar's right to be heard;

4. Deeply deplores, in any event, the fact that Mr. Isiklar's declaration, as brought to its attention, justified the dissolution of a political party and caused the loss of his parliamentary mandate, and considers that, in making the statement in question, Mr. Isiklar merely exercised his right to freedom of expression as guaranteed under the European Convention on Human Rights, to which Turkey is a party;

5. Notes with satisfaction the amendments adopted to the Turkish Constitution regarding the dissolution of political parties, whereby the Constitutional Court would have to hear Mr. Isiklar were the case of the dissolution of HEP now before it;

6. Notes that Mr. Isiklar did not stand for re-election in December 1995;

7. Also notes that no allegations have been made of threats to his personal security or of any harassment;

8. Decides to close the file.